

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 501

HOUSE CONCURRENT RESOLUTION NO. 3001

(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 program moneys expected for the next biennium by the Department of Commerce; and

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

WHEREAS, the Legislative Assembly will not meet in regular session during 2016, and thus its public hearing responsibility for grants not approved by the Sixty-fourth Legislative Assembly must be delegated to a legislative entity.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE 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 program moneys for the period ending September 30, 2017; 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-fourth Legislative Assembly through September 30, 2017, 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 30, 2015

CHAPTER 502

HOUSE CONCURRENT RESOLUTION NO. 3002

(Legislative Management)
(Commission on Alternatives to Incarceration)

A concurrent resolution directing the Legislative Management to study issues related to restitution for criminal acts.

WHEREAS, courts frequently order restitution for damages resulting from the commission of a criminal act and condition an offender's probation upon the payment of the restitution; and

WHEREAS, because of an offender's unwillingness or inability to comply with the conditions of probation relating to payment of restitution, a court may terminate the offender's probation or extend the term of probation for up to five additional years; and

WHEREAS, the number of offenders on probation in the state exceeds 5,000, which represents an increase of approximately 160 percent over the last two decades; and

WHEREAS, supervision of offenders on probation is resource-intensive and supervision of nonviolent offenders on probation for failure to fulfill conditions of restitution orders diverts correctional resources from more intensive supervision of more dangerous offenders;

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 restitution for criminal acts; 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-fifth Legislative Assembly.

Filed March 24, 2015

CHAPTER 503

HOUSE CONCURRENT RESOLUTION NO. 3003

(Legislative Management)
(Government Finance Committee)

A concurrent resolution directing the Legislative Management to study state contributions to state employee health insurance premiums, including the effect of the federal Affordable Care Act on the state uniform group insurance program.

WHEREAS, the state of North Dakota pays one hundred percent of the premium for either a single or family health insurance plan for eligible state employees; and

WHEREAS, the monthly combined health insurance premium rate for state employees has increased from \$554 dollars per month during the 2005-07 biennium to \$982 dollars per month during the 2013-15 biennium; and

WHEREAS, in 2012, only thirteen states paid the entire premium for a state employee single health insurance plan and only four states paid the entire premium for a state employee family health insurance plan; and

WHEREAS, the state currently has a grandfathered status under the federal Affordable Care Act which exempts the state from certain requirements under the Act; and

WHEREAS, the state employee health insurance plan may lose its grandfathered status under the federal Affordable Care Act if employees are required to contribute more than five percent towards the cost of state employee health insurance premiums;

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

That the Legislative Management study state contributions for state employee health insurance premiums, including the feasibility and desirability of establishing a maximum state contribution for state employee health insurance premiums and the effect of losing the state's grandfathered status under the federal Affordable Care Act; 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 504

HOUSE CONCURRENT RESOLUTION NO. 3004

(Legislative Management)
(Health Services Committee)

A concurrent resolution directing the Legislative Management to continue to study medicolegal death investigation in the state and how current best practices, including authorization, reporting, training, certification, and the use of information technology and toxicology, can improve death investigation systems in the state.

WHEREAS, the 2013-14 interim Health Services Committee studied funding provided by the state for autopsies and state and county responsibility for the cost of autopsies, including the feasibility and desirability of counties sharing in the cost of autopsies; and

WHEREAS, the number of forensic autopsies performed in North Dakota has been steadily increasing; and

WHEREAS, in addition to criminal justice, death investigation plays a role in public and population health; and

WHEREAS, medicolegal death investigation is complicated by distance and an inadequate supply of medical professionals in rural areas of the state; and

WHEREAS, the National Association of Medical Examiners provides consultation services to states developing systems for death investigation; and

WHEREAS, the 2013-14 interim Health Services Committee determined additional information was needed regarding recommended improvements to the medicolegal death investigation system in the state;

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

That the Legislative Management continue to study medicolegal death investigation in the state and how current best practices, including authorization, reporting, training, certification, and the use of information technology and toxicology, can improve death investigation systems in 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 505

HOUSE CONCURRENT RESOLUTION NO. 3005

(Legislative Management)
(Human Services Committee)

A concurrent resolution directing the Legislative Management to study the system of care for individuals with brain injury.

WHEREAS, the Legislative Management's 2013-14 interim Human Services Committee studied the need for a comprehensive system of care for individuals with brain injury; and

WHEREAS, the committee received testimony indicating that the state does not have a comprehensive system of care for traumatic brain injury survivors and traumatic brain injury survivors do not qualify for a number of state programs; and

WHEREAS, the committee learned other states with effective systems for serving individuals with brain injury have a centralized service for obtaining information, provide supportive housing services, and provide day support services; and

WHEREAS, the provision of supportive housing, day support services, and employment-related services assist individuals to reside independently in community settings and obtain and maintain employment; and

WHEREAS, the committee recommended legislation to improve the level of services available to individuals with brain injury;

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

That the Legislative Management, utilizing an independent consultant if necessary, study the system of care for individuals with brain injury, including services available and the implementation of new services and programs, the effectiveness of those services, and any gaps in services; 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 506

HOUSE CONCURRENT RESOLUTION NO. 3006

(Legislative Management)
(Tribal and State Relations Committee)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of state, federal, and tribal collaboration in providing services for tribal youth in the state who are adjudicated in tribal courts.

WHEREAS, there is a disparity in the level of services provided to youth who are adjudicated of delinquent acts in tribal courts and for those who are adjudicated in state courts in the state; and

WHEREAS, within the state system, a two-tiered system involving the juvenile court and the Division of Juvenile Services within the Department of Corrections and Rehabilitation provides individual case management services to delinquent youth in the form of assessments, evaluations, counseling, educational services, treatment, and rehabilitation; and

WHEREAS, in most instances, delinquent youth in the tribal system are placed in detention without any of the benefit of services provided to youth in the state system; and

WHEREAS, during the 2013-14 interim, testimony presented to the Tribal and State Relations Committee urged collaboration between tribal and state courts in formal and informal juvenile dispositions to ensure that assessments are completed and services are provided;

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 state, federal, and tribal collaboration in providing services for tribal youth in the state who are adjudicated in tribal courts; 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 507

HOUSE CONCURRENT RESOLUTION NO. 3008

(Representatives Streyle, Headland, Louser, Maragos, Schatz, Skarphol, Thoreson)
(Senators Armstrong, Casper, Cook, Larsen, Unruh)

A concurrent resolution urging Congress to lift the prohibition on the export of crude oil from the United States.

WHEREAS, beginning with the Energy Policy and Conservation Act of 1975, the United States Congress has prohibited the export of crude oil from the United States; and

WHEREAS, the 1970s saw high oil prices as a result of OPEC nations withholding production and a need to increase domestic energy production and supply to provide for energy independence; and

WHEREAS, the reasons for the prohibition were to preserve domestic price ceilings by preventing domestic producers from receiving higher world oil prices and to preserve a depleting domestic reserve; and

WHEREAS, directional drilling and hydraulic fracturing technologies in the Bakken Formation and other shale plays in the United States have made the United States more crude oil independent; and

WHEREAS, the United States is currently exporting over four million barrels of refined products, such as gasoline, out of the United States each day; and

WHEREAS, the continued oil production in this region and across the United States has provided the opportunity for economic growth and stability through the export of crude oil and the prohibition on exports of crude oil is no longer necessary;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to lift the prohibition on the export of crude oil from the United States; and

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

Filed April 8, 2015

CHAPTER 508

HOUSE CONCURRENT RESOLUTION NO. 3009

(Representatives D. Anderson, Hofstad, Hunskor, D. Johnson, Kempenich)
(Senators Carlisle, Miller, O'Connell, Sinner)

A concurrent resolution urging Congress to pass H.R. 5078 or otherwise address the concerns of the agriculture industry, water development industry, and water management industry, in defining the "waters of the United States" in the Clean Water Act.

WHEREAS, the Clean Water Act compels the Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (Corps) to protect the integrity of the "waters of the United States"; and

WHEREAS, the term "waters of the United States" was not defined in statute so it has been argued that the term means many things from the spectrum of navigable waters to anything that affects navigable waters; and

WHEREAS, H.R. 5078 of the 113th Congress prohibits the EPA and the Corps from developing, finalizing, adopting, implementing, applying, administering, or enforcing the proposed rule entitled, "Definition of 'Waters of the United States' Under the Clean Water Act," issued on April 21, 2014, or the proposed guidance entitled, "Guidance on Identifying Waters Protected By the Clean Water Act," dated February 17, 2012; and

WHEREAS, H.R. 5078 also prohibits using the proposed rule or proposed guidance, any successor document, or any substantially similar proposed rule or guidance as the basis for any rulemaking or decision regarding the scope or enforcement of the Clean Water Act; and

WHEREAS, H.R. 5078 requires the Corps and the EPA to withdraw the interpretive rule entitled, "Notice of Availability Regarding the Exemption from Permitting Under Section 404(f)(1)(A) of the Clean Water Act to Certain Agricultural Conservation Practices," issued on April 21, 2014; and

WHEREAS, H.R. 5078 requires the Corps and the EPA to consult with relevant state and local officials to develop recommendations for a regulatory proposal that would identify the scope of waters covered under the Clean Water Act and the scope of waters not covered; provide for the public review and comment of a draft report that includes a recommendation only if consensus has been reached with regard to the recommendation among the Corps, the EPA, and state and local officials; publish a final report; and report to Congress on the recommendations;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to pass H.R. 5078 or otherwise address the concerns of the agriculture

industry, water development industry, and water management industry, in defining the "waters of the United States" in the Clean Water Act; 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, the Administrator of the Environmental Protection Agency, and to each member of the North Dakota Congressional Delegation.

Filed January 12, 2015

CHAPTER 509**HOUSE CONCURRENT RESOLUTION NO. 3011**

(Representative Maragos)
(Senator Dever)

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

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

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

HOUSE	
Chief clerk	\$190
Assistant chief clerk	172
Journal reporter	185
Calendar clerk	172
Bill clerk	160
Video recording clerk	155
Sergeant-at-arms	155
Administrative assistant to majority leader	169
Staff assistant to majority leader	169
Administrative assistant to minority leader	169
Staff assistant to minority leader	169
Administrative assistant to Speaker	169
Deputy chief clerk	179
Appropriations committee clerk	169
Assistant appropriations committee clerk	162
Committee clerk for three-day committee	162
Committee clerk for two-day committee	157
Assistant committee clerk	157
Deputy sergeant-at-arms	118
Chief legislative assistant	131
Legislative assistant	112
SENATE	
Secretary of the Senate	190
Assistant secretary of the Senate	172
Journal reporter	185
Calendar clerk	172
Bill clerk	160
Video recording clerk	155
Sergeant-at-arms	155
Administrative assistant to majority leader	169
Staff assistant to majority leader	169
Administrative assistant to minority leader	169

Staff assistant to minority leader	169
Chief committee clerk	179
Appropriations committee clerk	169
Assistant appropriations committee clerk	162
Committee clerk for three-day committee	162
Committee clerk for two-day committee	157
Assistant committee clerk	157
Deputy sergeant-at-arms	118
Chief page and bill book clerk	131
Legislative assistant	112

BE IT FURTHER RESOLVED, that each employee of the Sixty-fourth 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 21, 2015

CHAPTER 510**HOUSE CONCURRENT RESOLUTION NO. 3012**

(Representatives Klemin, B. Koppelman, Olson, Oversen)
(Senators Carlisle, Casper)

A concurrent resolution directing the Legislative Management to study the registration requirements for offenders against children and sexual offenders under North Dakota Century Code Section 12.1-32-15.

WHEREAS, the offenders against children and sexual offenders statute encompasses seventeen subsections and numerous subdivisions; and

WHEREAS, the statute contains differing time frames for an offender to register certain information to local law enforcement; and

WHEREAS, technological changes require a periodic review of language for relevancy;

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

That the Legislative Management study the registration requirements for offenders against children and sexual offenders under North Dakota Century Code Section 12.1-32-15; 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-fifth Legislative Assembly.

Filed April 1, 2015

CHAPTER 511

HOUSE CONCURRENT RESOLUTION NO. 3015

(Representatives Dosch, Rick C. Becker, Bellew, Fehr, Kading, Kasper, Schatz,
Streyle, Thoreson)
(Senators Casper, Dever, Larsen)

A concurrent resolution making a formal application to Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States which requires a balanced federal budget.

WHEREAS, Article V of the Constitution of the United States mandates that upon the application of the legislatures of two-thirds of the states, Congress shall call a convention for proposing amendments; and

WHEREAS, this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states; and

WHEREAS, this application shall be aggregated for the purpose of attaining the two-thirds necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject; and

WHEREAS, this application is a continuing application until the legislatures of at least two-thirds of the states have made applications on the same subject; and

WHEREAS, the North Dakota Legislative Assembly deems an amendment to the Constitution of the United States requiring a balanced federal budget to be necessary for the good of the American people;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to call a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President and Secretary of the Senate and the Speaker and Clerk of the House of Representatives of the Congress, to each member of the United States Congressional Delegation, and also to transmit copies to the presiding officers of each of the legislative houses in the United States, requesting their cooperation.

Filed January 12, 2015

CHAPTER 512

HOUSE CONCURRENT RESOLUTION NO. 3018

(Representatives Headland, Delzer, Louser, Thoreson)
(Senators Casper, G. Lee, Miller)

A concurrent resolution urging Congress to pursue enactment of the Regulations from the Executive in Need of Scrutiny Act introduced by Senator Paul in February 2013 requiring Congress to approve every major rule proposed by the Executive Branch which has an annual economic impact of one hundred million dollars or more, before it can be enforced on the American people.

WHEREAS, Section 1 of article I of the United States Constitution grants all legislative powers to Congress; and

WHEREAS, Congress has excessively delegated its constitutional responsibilities while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes; and

WHEREAS, federal agencies promulgating rules through the regulatory process are over reaching their authority without transparency or accountability to the people of the United States;

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

That the Sixty-fourth Legislative Assembly urges Congress to pursue enactment of the Regulations from the Executive in Need of Scrutiny Act introduced by Senator Paul in February 2013 requiring Congress to approve every major rule proposed by the Executive Branch which has an annual economic impact of one hundred million dollars or more, before it can be enforced on the American people; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation, to the Majority Leader and Minority Leader of the United States Senate, and to the Majority Leader and Minority Leader of the United States House of Representatives.

Filed April 6, 2015

CHAPTER 513

HOUSE CONCURRENT RESOLUTION NO. 3020

(Representatives Devlin, Hofstad, D. Johnson, Vigesaa)
(Senators Heckaman, Oehlke)

A concurrent resolution directing the Legislative Management to study the impact on owners of land that has been inundated by rising waters in Devils Lake and Stump Lake.

WHEREAS, Devils Lake and Stump Lake have inundated land once owned by landowners surrounding the lakes; and

WHEREAS, as the navigable waters increased the inundated land became sovereign land of the state, which deprives the previous owner of the ownership and use of the land; and

WHEREAS, landowners with land taken by the rising lakes want to ensure that when the lakes recede the land returns to the landowners; and

WHEREAS, some landowners have paid property taxes on inundated land for many years in the hope of regaining ownership when the water recedes and some have been required to do so because the surface area of land used for the assessment determination for property tax application does not take into account the current and exact boundary of the lake; and

WHEREAS, the surrounding landowners have suffered extreme hardship from loss of use and ownership of their land and the added burden of paying property taxes on it, but have not received any compensation from the state or federal government;

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

That the Legislative Management study the impact on owners of land that has been inundated by rising waters in Devils Lake and Stump Lake; 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 514

HOUSE CONCURRENT RESOLUTION NO. 3023

(Representatives Monson, D. Anderson, Damschen, Delmore, Hofstad, D. Johnson)
(Senators Flakoll, O'Connell, Oehlke, Wardner)

A concurrent resolution declaring March 5, 2015, as "Canada Day in North Dakota".

WHEREAS, Canada and the United States share a rich and vibrant history of democratic governance, security and economic partnerships, and tourism and cultural ties; and

WHEREAS, Canada is the largest trade partner of the United States, and the number of Canadian tourists visiting this country, and North Dakota, exceeds the number from any other country; and

WHEREAS, North Dakota sells more goods to Canada than all other countries combined; and

WHEREAS, over one million Canadian visitors to North Dakota annually contribute \$280 million dollars to the North Dakota economy; and

WHEREAS, North Dakota and its neighboring Canadian provinces share common leading industries which are vital to the economies and people of our respective nations, including agriculture and energy development; and

WHEREAS, since 1932, the International Peace Garden has been a symbol of the friendship between two neighbors that share the world's longest unfortified border; and

WHEREAS, this July, Bismarck will host the Council of State Governments - Midwest Legislative Conference, which provides a forum for state and provincial legislators to work together on shared opportunities;

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

That the Sixty-fourth Legislative Assembly declares March 5, 2015, as "Canada Day in North Dakota"; and

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

Filed February 25, 2015

CHAPTER 515

HOUSE CONCURRENT RESOLUTION NO. 3024

(Representatives Laning, Boe, Delmore, Delzer, Headland, Kreidt, Seibel)
(Senators Carlisle, Dotzenrod, Unruh, Wardner)

A concurrent resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in the Northern Great Plains.

WHEREAS, over the course of the 2013-15 biennium, the United States Environmental Protection Agency has proposed two regulations that would enact a de facto ban on the construction of new, efficient, and cost-effective coal-fired power plants, and threaten the continued operation of existing coal-fired power plants; and

WHEREAS, in November 2014, the United States Environmental Protection Agency proposed to further reduce the standard for ambient ozone to levels that could restrict North Dakota's energy industry and impede economic growth; and

WHEREAS, the United States Office of Surface Mining, Reclamation, and Enforcement continues to explore a new regulation that could significantly restrict access to North Dakota's coal resources; and

WHEREAS, in December 2014, the White House Council on Environmental Quality issued draft guidance for assessing climate impacts under the National Environmental Policy Act that will further delay the permitting of coal leases on federal land; and

WHEREAS, in September 2013, the Eighth Circuit Court of Appeals released an opinion upholding the authority of the United States Environmental Protection Agency to reject the State of North Dakota's plan to reduce regional haze; and

WHEREAS, in November 2014, the White House announced an agreement with China by which the United States would significantly reduce its carbon dioxide emissions by 2025 at unknown cost to our economy and China is allowed to continue increasing emissions through 2030; and

WHEREAS, the United States Environmental Protection Agency's Clean Power Plan is estimated to increase North Dakota resident's average electricity and gas bills \$700 by 2020; and

WHEREAS, the United States Environmental Protection Agency's Clean Power Plan is estimated to cost the American economy over \$300 billion, with no measurable reduction in global carbon dioxide levels; and

WHEREAS, the United States Environmental Protection Agency's proposed regulations for carbon dioxide emissions from new and existing coal-fired power plants go beyond the authority provided by existing federal statutes; and

WHEREAS, the North Dakota lignite industry employs over 17,000 individuals in the state, and contributes over \$3 billion in economic activity in North Dakota each year; and

WHEREAS, the North Dakota lignite industry generates enough electricity to power over 2 million homes in the Northern Great Plains, supplies synthetic natural gas to 400,000 homes and businesses, and produces numerous beneficial byproducts; and

WHEREAS, if the federal government continues to issue regulations and administrative actions that are not based on sound science, economic, and technological reality, it will have significant impact on consumer electricity costs, and the North Dakota lignite industry will struggle to provide low-cost, reliable electricity; and

WHEREAS, the cumulative effects of proposed federal regulations present a significant threat to the viability and dependability of the Northern Great Plains' electric grid; and

WHEREAS, under the present federal regulatory agenda, North Dakota is in danger of losing thousands of high-paying jobs as well as hundreds of millions in 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-fourth Legislative Assembly urges the federal government to refrain from continuing to impose regulations and other administrative actions that prohibit or restrict the ability of utilities to continue providing low-cost and reliable power from North Dakota's vast lignite reserves; and

BE IT FURTHER RESOLVED, that the United States Environmental Protection Agency refrain from finalizing regulations for carbon dioxide emission standards which requires new coal-fired power plants to meet an emission standard that is not achievable with current commercial technology, and which prematurely requires retirement or curtailment of existing coal-fired power plants; and

BE IT FURTHER RESOLVED, that the Sixty-fourth Legislative Assembly urges the federal government to work with the state, the North Dakota Congressional Delegation, and the North Dakota lignite industry to design and implement regulatory programs that are based on sound science, recognize the status of existing technology and development timelines, and that make economic sense for the producers and consumers of North Dakota lignite; and

BE IT FURTHER RESOLVED, that the members of the Sixty-fourth Legislative Assembly support the efforts of the lignite industry to develop technological solutions that will enable the continuation of lignite-based electric generation; and

BE IT FURTHER RESOLVED, that the members of the Sixty-fourth Legislative Assembly support the efforts of the lignite industry to challenge regulations and other actions that will impact the ability of the industry to continue utilizing North Dakota's strategic lignite resource; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution by certified mail, return receipt requested, 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 April 23, 2015

CHAPTER 516

HOUSE CONCURRENT RESOLUTION NO. 3025

(Representatives Thoreson, Dockter, M. Johnson, Kading, Kasper, Looysen)
(Senators Campbell, Flakoll, Laffen, Nelson, Schaible, Sorvaag)

A concurrent resolution of commendation to the North Dakota State University Bison football team and Coach Chris Klieman for achieving an unprecedented level of dominance in NCAA Division I football.

WHEREAS, the North Dakota State University Bison football team triumphed despite the loss of twenty-three seniors from their 2013 championship team to capture a record fourth consecutive NCAA Division I Football Championship Subdivision football championship; and

WHEREAS, postseason players Chris Board, Colter Pritchard, Shea DeJong, Trevor Gebhart, Tyler Wrice, Jordan Champion, CJ Smith, Zach Colvin, Darius Anderson, Esley Thorton, Derek McGinnis, Carson Wentz, Eric Perkins, Bo Liekhus, Daniel Polansky, RJ Urzendowski, Adam Keller, Cole Davis, Ben LeCompte, Colten Heagle, Demetrius Gray, King Frazier, John Crockett, Tre Dempsey, Chase Morlock, Keenan Hodenfield, Andrew Smith, Jedre Cyr, Tom Barneson, Christian Dudzik, Bennie Wilson, Carlton Littlejohn, Dan Sargeant, MJ Stumpf, Justin Axelson, Kurt Mattox, Matt Plank, Andrew Bonnet, Pierre Gee-Tucker, Nick DeLuca, James Fisher, Travis Beck, Kyle Emanuel, Jeremy Kelly, Alex Hahn, James Gates, Joe Haeg, Max Polson, Brian Schaetz, Bryce Messner, Adam Schueller, Brock Russell, Zac Johnson, Jack Plankers, Erik Olson, Zack Ziemer, Austin Kuhnert, Jesse Hinz, Landon Lechler, Nate Moody, Isaiah Frandsen, Zach Vraa, Carey Woods, DeSean Warren, Kevin Vaadeland, Jeff Illies, Connor Wentz, Luke Albers, Grant Morgan, Mike Hardie, Jarrod Tuszka, D'Andre Gillins, Greg Menard, Brad Ambrosius, Austin Farnlof, and Nate Tanguay; and coaches Chris Klieman, Matt Entz, Tim Polasek, Atif Austin, Jamar Cain, Nick Goeser, Randy Hedberg, Joe Klanderman, Conor Riley, Tyler Roehl, Joey Blackmore, and Hank Jacobs led the Bison to four playoff victories to capture the team's fourth straight title; and

WHEREAS, the seniors on the "Thundering Herd's" 2014 championship team accumulated a record of 58-3 over the course of their four years with the program, giving them more championship wins than total losses during their tenure; and

WHEREAS, Kyle Emanuel was voted the Buck Buchanan Award recipient as the top defensive player in the Football Championship Subdivision; and

WHEREAS, Carson Wentz was named the Most Outstanding Player of the championship game and received his second straight NCAA Elite 89 Award for the student-athlete with the highest cumulative GPA at the national championship; and

WHEREAS, the North Dakota State University Bison football team had nine players earn All-American recognition for their athletic performances;

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

The Sixty-fourth Legislative Assembly takes great pride in expressing its commendation to the North Dakota State University Bison football team and Coach Chris Klieman for achieving an unprecedented level of dominance in NCAA Division I football; and

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to Bison Head Coach Chris Klieman, North Dakota State University Director of Athletics Matt Larsen, North Dakota State University President Dean L. Bresciani, and to each coach and player of the 2014 championship team.

CHAPTER 517

HOUSE CONCURRENT RESOLUTION NO. 3026

(Representatives Kasper, Beadle, Boschee, Guggisberg, Hanson, Hawken, Hogan,
M. Johnson, Thoreson)
(Senators Davison, Sinner, Sorvaag)

A concurrent resolution recognizing February 14, 2015, as "National Socks for the Homeless Day" in North Dakota.

WHEREAS, according to data released by the Department of Housing and Urban Development, in 2013, there were 2,069 homeless individuals in this state and more than 600,000 across the nation; and

WHEREAS, clean, dry socks are a basic need and a lack of socks can result in frostbite, blisters, ulcer formations, and even amputation; and

WHEREAS, clean, dry socks serve to decrease the likelihood of fungal and bacterial infections that can be harbored in a shoe liner and lead to cellulitis; and

WHEREAS, clean, dry socks protect feet from the internal structures of shoes and help to insulate feet from cold surfaces; and

WHEREAS, new socks for children can mean not having splinters, and not having fungal toenail infections, which can result from borrowing other children's shoes or wearing donated hand-me-downs without socks; and

WHEREAS, socks can make so much difference for a homeless individual; and

WHEREAS, single mothers and children who have one pair of socks, which can last only so long, are given dignity when they own new, nontattered socks; and

WHEREAS, clothing donations for the homeless and the needy rarely include socks; and

WHEREAS, it is important to raise awareness regarding the plight of homeless individuals and the medical problems associated with being homeless and sockless;

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

That the Sixty-fourth Legislative Assembly recognizes February 14, 2015, as "National Socks for the Homeless Day" in North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the North Dakota Coalition for Homeless People.

Filed April 6, 2015

CHAPTER 518

HOUSE CONCURRENT RESOLUTION NO. 3028

(Representatives Mooney, D. Anderson, Boe, J. Nelson, Strinden)
(Senators Dotzenrod, Heckaman, O'Connell)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of the establishment of county or multi-county emergency response centers outside of urban centers that already maintain emergency response agencies with around-the-clock staffing.

WHEREAS, most smaller cities and much of the rural area of North Dakota is served by fire departments and emergency medical response agencies that are staffed largely or completely by volunteers; and

WHEREAS, increased training requirements, more frequent working hour conflicts, as well as the rapidly rising number of incidents for which emergency response is needed have reduced the number of volunteers willing or able to serve and has deterred new people from volunteering; and

WHEREAS, although a few rural response agencies have been able to retain several full-time response professionals, this is not economically feasible for the vast majority of our state's volunteer entities; and

WHEREAS, some response agencies have been forced to discontinue service due to the lack of staff, further burdening the neighboring agencies;

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 the establishment of county or multi-county emergency response centers staffed around-the-clock by a core of emergency response professionals; and

BE IT FURTHER RESOLVED, that the Legislative Management explore funding options to support the establishment of such response centers; 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-fifth Legislative Assembly.

Filed April 10, 2015

CHAPTER 519

HOUSE CONCURRENT RESOLUTION NO. 3031

(Representatives Mooney, Devlin, Hawken)
(Senators Heckaman, Oehlke)

A concurrent resolution designating the third week in June as "North Dakota Share the Road Safety Week".

WHEREAS, walking, running, and bicycling provide an economical form of transportation, recreation, and physical exercise; and

WHEREAS, increasing numbers of residents in the state enjoy walking, running, and bicycling as a pleasant pastime while gaining the health benefits of an active lifestyle; and

WHEREAS, local and tribal communities enjoy the economic benefits of walking, running, and bicycling events; and

WHEREAS, knowledge and understanding of road safety issues, including injury prevention, the importance of laws and ordinances, and sharing the road with motorists, are necessary for pedestrians and bike riders of all ages and levels of experience; and

WHEREAS, the biking, walking, and running communities of North Dakota are eager to engage in recreational and educational activities and to partner in generating public awareness of the need to engage in safe practices for all types of traffic on our roads; and

WHEREAS, to mark the observance of "North Dakota Share the Road Safety Week", an effort to recognize those who have been killed or injured in collisions involving motor vehicles, bicycles, or pedestrians; promote the ideals of sharing our roads; and to develop and promote collaborative measures focused on safety, saving lives, and preventing injury on North Dakota road systems;

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

That the Sixty-fourth Legislative Assembly designates the third week of June as "North Dakota Share the Road Safety Week"; and

BE IT FURTHER RESOLVED, that this resolution be entered in the journal.

Filed March 31, 2015

CHAPTER 520

HOUSE CONCURRENT RESOLUTION NO. 3032

(Representatives Headland, Belter, Brandenburg, Haak, Thoreson)
(Senators Armstrong, Klein, Wanzek)

A concurrent resolution urging Congress and the Internal Revenue Service to end the requirement of capitalization of business and farm machinery repair costs and allow business owners to deduct those costs as a business expense.

WHEREAS, businesses have been subjected to extremely complex treatment under the Internal Revenue Code, most of which adds greatly to the cost of recordkeeping and the cost of doing business; and

WHEREAS, the decision of the Internal Revenue Service through rules in 26 CFR 1.162-3, 1.162-4, and 1.263(a)-3 to require businesses to capitalize business and farm machinery repairs shows little regard for imposing additional cost and regulatory burdens on the business owners forced to comply; and

WHEREAS, business and farm machinery and equipment is put to rigorous use to produce a vital United States economy and that machinery and equipment is subject to frequent and costly repairs, which is a business reality but is largely an unplanned business expense; and

WHEREAS, requiring businesses to capitalize repair expenses and deduct them over a period of years, when businesses must repair equipment and pay for those repairs immediately when the necessity arises, unfairly and pointlessly increases the cost of doing business while an ordinary business expense deduction would recognize the expenditure in the year the expenses are incurred;

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

That the Sixty-fourth Legislative Assembly urges Congress and the Internal Revenue Service to end the requirement of capitalization of business and farm machinery repair costs and allow business owners to deduct those costs as a business expense; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation, the majority and minority leaders of the United States Senate and House of Representatives, the Secretary of the Treasury, and the Director of the Internal Revenue Service.

Filed January 12, 2015

CHAPTER 521

HOUSE CONCURRENT RESOLUTION NO. 3033

(Representatives K. Koppelman, Boehning, Devlin, Kasper, Olson, Schatz, Thoreson,
Toman)
(Senators Klein, G. Lee, Wardner)

A concurrent resolution urging Congress to propose the Regulation Freedom amendment to the United States Constitution.

WHEREAS, the growth and abuse of federal regulatory authority threaten our Constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth Amendments of our Constitution;

WHEREAS, federal regulators must be more accountable to elected representatives of the people and not immune from such accountability;

WHEREAS, the Declaration of Independence decried the imposition by the central government of "an absolute tyranny over these states" and a central government that "erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance";

WHEREAS, states too often find themselves in a similar position today;

WHEREAS, the United States House of Representatives has passed with bipartisan support the REINS Act to require that Congress approve major new federal regulations before they can take effect;

WHEREAS, even if enacted, a law may be repealed or waived by a future Congress and President; and

WHEREAS, an amendment to the United States Constitution does not require the President's approval and cannot be waived by a future Congress and President;

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

That the Sixty-fourth Legislative Assembly urges Congress to propose the Regulation Freedom amendment to the United States Constitution as follows:

"Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation."

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of Congress and to the principal leaders in all state legislative chambers.

Filed April 7, 2015

CHAPTER 522

HOUSE CONCURRENT RESOLUTION NO. 3034

(Representatives Weisz, Owens, Ruby)
(Senator Oehlke)

A concurrent resolution urging Congress to authorize a compact agreement between member states and contiguous states of the Western States Transportation Alliance to lift the federal freeze on commercial vehicle weight and size limitations.

WHEREAS, the Western States Transportation Alliance member states and contiguous states consist of Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, South Dakota, Texas, Utah, Washington, and Wyoming; and

WHEREAS, federal legislation placed a freeze on commercial vehicle weight and size limitations in those 14 states in 1991; and

WHEREAS, the Western States Transportation Alliance approved a resolution to create a compact agreement between the states on November 17, 2014; and

WHEREAS, the compact agreement would give the states voluntarily participating in the agreement the authority to adopt routes and set restrictions on operations; and

WHEREAS, the compact agreement would set limits on the weight and size of commercial vehicles in the participating states to not exceed 129,000 pounds gross vehicle combination weight or 100 foot cargo carrying length;

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

That the Sixty-fourth Legislative Assembly urges Congress to authorize a compact agreement between member states and contiguous states of the Western States Transportation Alliance to lift the federal freeze on commercial vehicle weight and size limitations; and

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

Filed January 12, 2015

CHAPTER 523

HOUSE CONCURRENT RESOLUTION NO. 3036

(Representatives Hanson, Rick C. Becker, Mock, Olson)
(Senators Rust, Sinner)

A concurrent resolution directing the Legislative Management to study issues related to authorizing and issuing digital driver's licenses.

WHEREAS, individuals in this state are increasingly using new technologies, including smartphones, in their daily lives; and

WHEREAS, the use and convenience of technological devices has become increasingly more common for day-to-day functions, such as working, banking, and shopping; and

WHEREAS, there are financial and environmental costs associated with the production of plastic driver's licenses; and

WHEREAS, technological advances allow for secure digital driver's licenses; and

WHEREAS, the option of issuance of digital driver's licenses has been authorized in other states and should be considered for this 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 authorizing and issuing digital driver's licenses; 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-fifth Legislative Assembly.

Filed March 13, 2015

CHAPTER 524

HOUSE CONCURRENT RESOLUTION NO. 3037

(Representatives Boschee, Haak, D. Johnson, Kiefert, Larson, Schmidt)
(Senators Anderson, Laffen, Luick, Mathern, Miller, Oban)

A concurrent resolution directing the Legislative Management to study the current laws and rules relating to the sale of homemade food and homegrown produce and the policies and practices of local public health units and the State Department of Health regarding these sales and whether steps can be taken to make these policies more uniform throughout the state.

WHEREAS, North Dakota's public health system is decentralized, with 28 independent local public health units; and

WHEREAS, each of the local public health units in the state and the State Department of Health are responsible for implementing policies and administering rules related to the sale of homemade food and homegrown produce; and

WHEREAS, the current system requires that local producers and small business owners navigate as many as 28 different sets of public health policies related to the sale of homemade foods and homegrown produce; and

WHEREAS, North Dakota has a growing market and demand for homemade foods and homegrown produce; and

WHEREAS, statewide best practices for the sale of homemade foods and homegrown produce will allow for growth and innovation for producers and small business owners;

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

That the Legislative Management study the current laws and rules relating to the sale of homemade food and homegrown produce and the policies and practices of local public health units and the State Department of Health regarding these sales and whether steps can be taken to make these policies more uniform throughout the state.

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-fifth Legislative Assembly.

Filed April 1, 2015

CHAPTER 525

HOUSE CONCURRENT RESOLUTION NO. 3039

(Representatives Hanson, Beadle, Dockter, Haak, Headland)
(Senators Cook, Dotzenrod)

A concurrent resolution directing the Legislative Management to study the software needs for all political subdivisions in the state to make specified tax, budgetary, and other public information available online.

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

WHEREAS, currently there is a variety of information available online in different formats and different locations, which makes it difficult for residents to locate and compare information;

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

That the Legislative Management study the software needs for all political subdivisions in the state to make specified tax, budgetary, and other public information available online and to determine the specific information that each city and county must provide; 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-fifth Legislative Assembly.

Filed April 10, 2015

CHAPTER 526

HOUSE CONCURRENT RESOLUTION NO. 3040

(Representative Schreiber Beck)

A concurrent resolution directing the Legislative Management to study the Airport Authorities Act, with particular attention to airport finances.

WHEREAS, the Airport Authorities Act was first enacted in North Dakota in 1959, and most of the provisions within the chapter have not been amended for at least several decades; and

WHEREAS, the capital costs associated with the operation of airports has increased significantly since the enactment of the Airport Authorities Act, and the Act may no longer adequately reflect the current financing and revenue needs of airports; and

WHEREAS, airports are increasingly vital to the ongoing diversifying economic growth of North Dakota and its communities; and

WHEREAS, adequate airport access is critical to addressing the workforce development and quality of life issues currently faced by North Dakota's businesses and industries; and

WHEREAS, the total passengers on flights at regional North Dakota airports has increased from 46,620 in 2008 to 198,770 in 2013, an increase of 326 percent in a five-year span;

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

That the Legislative Management study the Airport Authorities Act, with particular attention to airport finances; 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 527

HOUSE CONCURRENT RESOLUTION NO. 3045

(Representatives Hanson, Hunskor)
(Senator Robinson)

A concurrent resolution directing the Legislative Management to study the automation of State Library data to track items owned, orders made, bills paid, patrons who have borrowed, and options for transferring materials between libraries.

WHEREAS, the efficiency and preservation of library data, specifically amongst rural communities, delivery options for transferring materials between libraries, and opportunities for library automation are current logistical challenges; and

WHEREAS, the State Library, On-line Dakota Information Network, the Superintendent of Public Instruction, the State Board of Higher Education, the North Dakota Library Association, and the Central Dakota Library Network understand the need for an updated automation of State Library data to track items owned, orders made, bills paid, and patrons who have borrowed;

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

That the Legislative Management study the automation of State Library data as used to track items owned, orders made, bills paid, patrons who have borrowed, and options for transferring materials between libraries; 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-fifth Legislative Assembly.

Filed January 12, 2015

CHAPTER 528

HOUSE CONCURRENT RESOLUTION NO. 3046

(Representatives Carlson, Belter, Delzer, Vigessaa)

A concurrent resolution directing the Legislative Management to study public higher education in North Dakota for the purpose of developing and implementing a governance model that articulates the roles and functions of the State Board of Higher Education, the commissioner of higher education, and the presidents of each institution of higher education under the control of the board.

WHEREAS, subsection 1 of Section 6 of Article VIII of the Constitution of North Dakota provides that the State Board of Higher Education is created for the "control and administration" of the state's educational institutions; and

WHEREAS, subsection 6 of Section 6 of Article VIII of the Constitution of North Dakota provides that the State Board of Higher Education shall have "full authority over the institutions under its control"; and

WHEREAS, subsection 7 of Section 6 of Article VIII of the Constitution of North Dakota provides that the State Board of Higher Education shall appoint a commissioner of higher education who "shall be responsible to the State Board of Higher Education" and who "shall be the chief executive officer of said State Board of Higher Education, and shall perform such duties as shall be prescribed by the board"; and

WHEREAS, the North Dakota University System includes \$1.2 billion in annual revenues, \$1.5 billion in assets, and an immeasurable obligation to be accountable to the people of this state; and

WHEREAS, accountability is achievable only if there is a clear delineation between governance and management responsibilities;

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

That the Legislative Management study public higher education in North Dakota for the purpose of developing and implementing a governance model that articulates:

- The role and function of the State Board of Higher Education, and that of its chairman and other members, including the board's objectives and the monitoring responsibilities necessary to ensure that its objectives are achieved;
- The role and function of the commissioner of higher education, including the commissioner's relationship with the board, the commissioner's responsibility for implementing the board's objectives, and for meeting the board's expectations regarding organizational performance; and

- The role and function of each institution's president, including the authority and responsibility to supervise and direct the efficient operation of the institution, to execute all directives from the commissioner of higher education, and to report directly to the commissioner regarding the operation and management of the institution, and the execution of the directives; and

BE IT FURTHER RESOLVED, that higher education professionals designated by the state board of higher education be involved in the study; and

BE IT FURTHER RESOLVED, that the Legislative Management may contract with a consultant for assistance in meeting the directives of this study; 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-fifth Legislative Assembly.

Filed April 6, 2015

CHAPTER 529

HOUSE CONCURRENT RESOLUTION NO. 3048

(Representatives Beadle, Dockter, Hanson, Looysen)
(Senator Davison)

A concurrent resolution directing the Legislative Management to study potential opportunities for the creation and utilization of public-private partnerships at institutions of higher education within the North Dakota University System, for the purpose of creating software engineering and development programs.

WHEREAS, a public-private partnership is a powerful example of a triangulation between industry, government, and academia that can support and elevate a state as a leader in economic development; and

WHEREAS, a public-private partnership can stimulate economic growth and help to meet the workforce development needs of a state; and

WHEREAS, the diesel technology program at North Dakota State College of Science is an example of a public-private partnership that has provided students with marketable skills and provided employers with an educated and trained workforce; and

WHEREAS, institutions of higher education within the North Dakota University System have a strong tradition of offering excellent educational programs and involving students and faculty in cutting edge research and technology development, and are thereby uniquely positioned to successfully participate in public-private partnerships that promote software engineering and development programs;

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

That the Legislative Management study potential opportunities for the creation and utilization of public-private partnerships at institutions of higher education within the North Dakota University System, for the purpose of creating software engineering and development programs; 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-fifth Legislative Assembly.

Filed April 1, 2015

CHAPTER 530**HOUSE CONCURRENT RESOLUTION NO. 3049**

(Representatives Beadle, Dockter, Steiner, Vigessaa)
(Senators Miller, Poolman)

A concurrent resolution directing the Legislative Management to study issues related to employment restrictions in public assistance programs.

WHEREAS, workforce shortage issues have been identified as a major challenge for business development in the state of North Dakota; and

WHEREAS, businesses are seeking incentives for workers to fill shortfalls in the labor market; and

WHEREAS, some workforce issues could be resolved by allowing current employees to work additional hours when available; and

WHEREAS, some public assistance programs restrict eligibility based on total number of hours worked by employees; and

WHEREAS, total hours worked is not always an indicator of the needs an individual may have for receiving public assistance; and

WHEREAS, finding means to allow employees to work additional hours without automatically losing public assistance benefits may be a way of addressing some labor shortage issues;

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

That the Legislative Management shall study issues relating to employment restrictions in public assistance programs; 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 - fifth Legislative Assembly.

Filed April 1, 2015

CHAPTER 531

HOUSE CONCURRENT RESOLUTION NO. 3051

(Representatives Steiner, Kasper, Larson, Lefor, Ruby, Schatz)
(Senator Miller)

A concurrent resolution directing the Legislative Management to study all aspects of the development and implementation of the Common Core state standards, examine the strengths and weaknesses of the standards compared to those of other viable options, and clarify and define the role and function of this state in relation to the federal government with respect to the delivery of elementary and secondary education.

WHEREAS, in 2009, governors and state commissioners of education from forty-eight states, two territories, and the District of Columbia, through their membership in the National Governors Association Center for Best Practices and the Council of Chief State School Officers, led an effort to develop Common Core state standards; and

WHEREAS, Common Core state standards have been at the root of public concern and controversy with respect to their development, implementation, and effect on elementary and secondary education; and

WHEREAS, the reauthorization of the Elementary and Secondary Education Act is expected to contain significant changes to federal requirements regarding standards, student assessments, and overall accountability;

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

That the Legislative Management study all aspects of the development and implementation of the Common Core state standards, examine the strengths and weaknesses of the standards compared to those of other viable options, and clarify and define the role and function of this state in relation to the federal government with respect to the delivery of elementary and secondary education; 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-fifth Legislative Assembly.

Filed April 10, 2015

CHAPTER 532

HOUSE CONCURRENT RESOLUTION NO. 3052

(Representatives Oversen, Amerman, P. Anderson, Boschee, Delmore, Haak,
Hanson, Mitskog)
(Senators Heckaman, Holmberg, Nelson, Sinner)

A concurrent resolution urging the North Dakota University System and State Board of Higher Education to study all policies, procedures, supports, and services available at all public institutions of higher education in the state regarding sexual assault and related incidents.

WHEREAS, there have been a number of significant incidents garnering negative media attention regarding sexual assault on campuses across the country; and

WHEREAS, the reporting procedures for students who have experienced a sexual assault vary on each campus; and

WHEREAS, the services and supports available to victims of sexual assault vary greatly on each campus; and

WHEREAS, recent reports have indicated that our universities and colleges may have deficiencies in the policies regarding sexual assault reporting and services available for students;

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

That the North Dakota Legislative Assembly recognizes the need to address policies regarding sexual assault reporting and services available to students and urges the North Dakota University System and the State Board of Higher Education to study the issue, with input from legislators, law enforcement officials, health professionals, and others to craft uniform policies for North Dakota college and university campuses. The North Dakota Legislative Assembly requests the State Board of Higher Education provide a report to the legislative management before July 1, 2016, regarding the policies, procedures, supports, and services available to all public institutions of higher education in the state regarding sexual assault and related incidents.

Filed April 20, 2015

CHAPTER 533

HOUSE CONCURRENT RESOLUTION NO. 3055

(Representatives Oversen, Boschee, Glassheim, Guggisberg, Keiser, Mock,
Schreiber Beck)
(Senators Laffen, Mathern)

A concurrent resolution directing the Legislative Management to study the feasibility and possible benefits of allowing members of the Legislative Assembly and other state employees to receive by electronic means all information regarding pay and benefits and other information shared by the employer and to study the availability of recycling options in all state buildings.

WHEREAS, state employees and members of the Legislative Assembly receive and utilize a significant amount of paper and recycling options are not always available in state buildings; and

WHEREAS, most large institutions utilize electronic communication programs, including electronic mail and data sharing; and

WHEREAS, all state employees and members of the Legislative Assembly already have access to the PeopleSoft portal for human resource management, personal information collection, and information on pay and benefits;

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 possible benefits of allowing members of the Legislative Assembly and other state employees to receive by electronic means all information regarding pay and benefits and other information shared by the employer and study the availability of recycling options in all state buildings; 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-fifth Legislative Assembly.

Filed April 10, 2015

CHAPTER 534

HOUSE CONCURRENT RESOLUTION NO. 3056

(Representatives Boschee, Guggisberg, Haak, M. Johnson, Kasper, Seibel)
(Senators Oban, Wanzek)

A concurrent resolution directing the Legislative Management to study projections on the number of low-income individuals in the state over the next 10 years and the desirability and feasibility of developing and expanding asset-building opportunities for those individuals.

WHEREAS, North Dakota ranks first in job creation and has the lowest unemployment rate in the nation for the sixth consecutive year while also having a 12 percent average annual economic growth rate; and

WHEREAS, the average adjusted gross income for individuals for 2013 rose to \$71,538, but poverty rates were 11.6 percent for individuals and 7 percent for families; and

WHEREAS, nearly 9 percent of North Dakota households were food insecure at some time during 2013, with 3.1 percent of households having very low food security; and

WHEREAS, North Dakota's population has grown to an all time high of 739,482 residents over the past decade, and although the average age has declined, the over age 65 population is estimated to grow an additional 18 percent in the next decade; and

WHEREAS, 10.6 percent of North Dakotans have a disability, which may impact their level of employment, and Social Security comprises the sole source or majority of income for 61 percent of individuals over the age of 65;

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

That the Legislative Management study projections on the number of low-income individuals in the state over the next 10 years, the desirability and feasibility of developing and expanding asset-building opportunities for those individuals, ways to encourage and improve financial literacy among the people of this state, and ways in which the private sector can assist people in improving their financial stability; 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-fifth Legislative Assembly.

Filed April 10, 2015