

# SENATE CONCURRENT RESOLUTIONS

## CHAPTER 535

### SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Management)  
(Advisory Commission on Intergovernmental Relations)

A concurrent resolution directing the Legislative Management to study the financial reports required by law to be compiled and filed by political subdivisions to determine whether they are being used to full advantage and whether they should be improved, consolidated, or eliminated.

**WHEREAS**, political subdivisions are required by law to compile and file with state agencies a substantial array of financial reports and to commit a significant amount of staff time to fulfilling this responsibility; and

**WHEREAS**, the legislative intent in requiring financial reports is to provide transparency in local government taxation and budget matters to inform the public and serve as a basis for state policy decisions but questions exist about whether the currently required financial reports are serving the intended purposes and whether duplication of information reporting imposes an unnecessary burden on local government staff; and

**WHEREAS**, one of the difficulties of comparing financial reports is that there is no uniform accounting method among political subdivisions and a method of making financial information available at a central source has not been fully implemented;

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

That the Legislative Management study the financial reports required by law to be compiled and filed by political subdivisions to determine whether they are being used to full advantage and whether they should be improved, consolidated, or eliminated; 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 19, 2015

## CHAPTER 536

### SENATE CONCURRENT RESOLUTION NO. 4004

(Legislative Management)  
(Health Services Committee)

A concurrent resolution directing the Legislative Management to continue to study dental services in the state, including the effectiveness of case management services and the state infrastructure necessary to cost effectively use mid-level providers to improve access to services and address dental service provider shortages in underserved areas of the state.

**WHEREAS**, the 2013-14 interim Health Services Committee studied how to improve access to dental services and ways to address dental service provider shortages; and

**WHEREAS**, oral health professionals are located mostly in urban areas of the state, resulting in a shortage of providers in rural areas of the state; and

**WHEREAS**, access to dental care is limited for Medicaid-eligible children, rural residents, low-income adults, the elderly, especially those in nursing homes, and Native Americans; and

**WHEREAS**, emergency room visits for preventable dental conditions result in unnecessary costs to the state and hospitals; and

**WHEREAS**, the 2013-14 interim Health Services Committee learned case management services may have the potential to reduce dental costs and improve access to services; and

**WHEREAS**, the 2013-14 interim Health Services Committee received a report on the early impacts of dental therapists in Minnesota prepared by the Minnesota Department of Health and Minnesota Board of Dentistry for the Minnesota Legislature in 2014 indicating mid-level providers serve more patients enrolled in public health insurance programs and some patients served in clinics employing dental therapists experienced reduced wait times and travel times with no quality or safety concerns; and

**WHEREAS**, the North Dakota Oral Health Coalition recommends the following oral health initiatives:

- Expansion of the Seal! ND Program through the State Department of Health oral health programs to target low income children at public schools;
- Additional funding for dental safety-net clinics to include mobile, nonprofit and federally qualified health centers;
- Funding for a case management outreach model supported through the State Department of Health and the North Dakota Dental Association;

- Expansion of duties for dental assistants and hygienists through innovative, non-traditional, outreach education programs to minimize geographic and employment barriers for the current workforce; and

**WHEREAS**, a report by the North Dakota Center for Rural Health regarding an assessment of the oral health needs in the state and proposed interventions to reduce need identified the following priorities models:

- Increase funding and reach of safety-net clinics to include services provided in western North Dakota using selected models;
- Increased funding and reach of the Seal! North Dakota Program--to include using dental hygienists to provide care and incorporating case management and identification of a dental home;
- Expand scope of dental hygienists and utilize dental hygienists at the top of their current scope of work to provide community based preventive and restorative services and education among populations of high need;
- Create a system to promote dentistry professions among state residents and encourage practice in North Dakota through a consolidated loan repayment program and access to schools of dentistry;
- Increase Medicaid reimbursement; and

**WHEREAS**, the 2013-14 interim Health Services Committee determined additional information was needed regarding the effectiveness of case management services and the state infrastructure necessary to cost effectively utilize mid-level providers to improve access to services and address dental service provider shortages in underserved areas of the state;

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

That the Legislative Management continue to study dental services in the state, including the effectiveness of case management services and the state infrastructure necessary to cost effectively utilize mid-level providers to improve access to services and address dental service provider shortages in underserved areas of 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 March 19, 2015

## CHAPTER 537

### SENATE CONCURRENT RESOLUTION NO. 4005

(Legislative Management)  
(Human Services Committee)

A concurrent resolution directing the Legislative Management to study judicial issues related to behavioral health, including 24-hour hold, termination of parental rights, and court committals.

**WHEREAS**, the 2013-14 interim Legislative Management's Human Services Committee conducted a study of behavioral health needs of youth and adults in North Dakota; and

**WHEREAS**, the interim Human Services Committee hired a consultant to assist in the study of behavioral health needs of youth and adults in North Dakota; and

**WHEREAS**, the consultant's findings indicated concerns regarding judicial issues relating to behavioral health, including 24-hour hold, termination of parental rights, and court committals in the state; and

**WHEREAS**, the consultant recommended the Legislative Management conduct for their study specifically judicial issues relating to behavioral health, including 24-hour hold, termination of parental rights, and court committals in the state;

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

That the Legislative Management study judicial issues related to behavioral health, including 24-hour hold, termination of parental rights, and court committals; 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 31, 2015

## CHAPTER 538

### SENATE CONCURRENT RESOLUTION NO. 4006

(Senators Mathern, Dever, Armstrong)  
(Representatives Steiner, Mooney, J. Nelson)

A concurrent resolution directing the Legislative Management to study the impact of the marriage penalty within the supplemental security income program and the impact of the marriage penalty on retirement benefits under the Social Security Act and encouraging the North Dakota Congressional Delegation to address the impact within the Social Security laws.

**WHEREAS**, supplemental security income rescues from poverty over 7,650 low-income individuals with disabilities in this state; and

**WHEREAS**, many older residents depend on social security benefits for retirement income; and

**WHEREAS**, the income of a recipient's spouse is considered in calculating the benefits for a recipient; and

**WHEREAS**, benefits for a married couple, both of whom receive supplemental security income and have no other income, are 25 percent less than the total they would receive if they were living together but not as husband and wife; and

**WHEREAS**, social security benefits may be reduced for married couples; and

**WHEREAS**, such circumstances provide a financial incentive for some retired individuals and individuals with disabilities to forgo marriage; and

**WHEREAS**, this state supports family values and the sanctity of marriage; and

**WHEREAS**, an examination should be made of the impact that the marriage penalty has within the supplemental security income program and the social security program; the number of residents affected by the marriage penalty; the impact of the marriage penalty on housing affordability; the ability of married recipients in this state to meet their basic needs; whether the marriage penalty holds married recipients below the poverty level in this state; and the manner in which other states address the impact of the marriage penalty;

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

That the Legislative Management study the impact of the marriage penalty within the supplemental security income program and the impact of the marriage penalty on retirement benefits under the Social Security Act; and

**BE IT FURTHER RESOLVED**, that Legislative Management report its findings and recommendations, together with any legislation to implement the recommendations, to the Sixty-fifth Legislative Assembly; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation and that the Sixty-fourth Legislative Assembly encourages members of the Congressional Delegation to address this issue within the Social Security laws.

Filed April 7, 2015

## CHAPTER 539

### SENATE CONCURRENT RESOLUTION NO. 4007

(Senator Holmberg)  
(Representative Delzer)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of implementing a Results First Initiative program evaluation process in North Dakota.

**WHEREAS**, the Results First Initiative program works with states to implement a cost-benefit analysis approach to identify the most cost-effective policies and programs; and

**WHEREAS**, the Results First Initiative program is designed to reduce wasteful spending, to help expand innovative programs, and to strengthen accountability of agencies, managers, and providers; and

**WHEREAS**, a number of states have implemented the Results First Initiative program, at various levels, to assist managers and policymakers in the decisionmaking process; and

**WHEREAS**, states have utilized the Results First Initiative program in the areas of criminal justice, corrections, behavioral health, and other areas; and

**WHEREAS**, the Legislative Assembly is responsible for monitoring state spending and considering options to improve the decisionmaking process; and

**WHEREAS**, additional information and analysis would be useful to the Legislative Assembly to assist it in identifying the most cost-effective policies and programs;

**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 implementing a Results First Initiative program evaluation process 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-fifth Legislative Assembly.

Filed March 26, 2015

## CHAPTER 540

### SENATE CONCURRENT RESOLUTION NO. 4012

(Senators J. Lee, Anderson, Mathern)  
(Representatives Holman, Silbernagel, Weisz)

A concurrent resolution directing the Legislative Management to study the privacy, security, and data sharing laws in North Dakota, the effectiveness of federal privacy, security, and data sharing laws and the laws of other states, the interaction of federal and state laws, and whether current privacy, security, and data sharing protections meet the reasonable expectations of the citizens of North Dakota.

**WHEREAS**, the advancement of technology over the past decade has greatly increased the use and flow of electronic information; and

**WHEREAS**, the quantity of personal information compiled and maintained by federal, state, private, and commercial sources continues to increase; and

**WHEREAS**, every individual in North Dakota has a reasonable expectation of privacy for certain information; and

**WHEREAS**, data security breaches along with cases of identity theft continue to pose a substantial risk to North Dakota consumers and businesses; and

**WHEREAS**, current privacy, security, and data sharing protections may not meet the reasonable expectations of the citizens of North Dakota; and

**WHEREAS**, the continued transfer of personal data across state lines requires coordination of federal and state privacy, security, and data sharing protections;

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

That the Legislative Management study the privacy, security, and data sharing laws in North Dakota, the effectiveness of federal privacy, security, and data sharing laws and the laws of other states, the interaction of federal and state laws, and whether current privacy, security, and data sharing protections meet the reasonable expectations of the citizens of 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-fifth Legislative Assembly.

Filed March 26, 2015



## CHAPTER 541

### SENATE CONCURRENT RESOLUTION NO. 4013

(Senators Miller, Flakoll, Wardner)  
(Representatives D. Johnson, K. Koppelman)

A concurrent resolution urging North Dakota to continue its endorsement and support of the relationship and shared interests between the people of the Republic of China (Taiwan) and the State of North Dakota.

**WHEREAS**, in the first 10 months of 2014, bilateral trade reached \$56.4 billion, which makes Taiwan the 10<sup>th</sup> largest trading partner of the United States, while the United States is Taiwan's second largest trading partner and largest single source of foreign direct investment; and

**WHEREAS**, the United States was the largest source of foreign direct investment in Taiwan, cumulatively investing \$23 billion as of January 2014; and

**WHEREAS**, North Dakota maintains and values its relationship with Taiwan; and

**WHEREAS**, Taiwan was the 14<sup>th</sup> largest import partner of North Dakota in 2013; and

**WHEREAS**, the Agricultural Trade Goodwill Mission from Taiwan visited North Dakota on September 11, 2013, and signed a letter of intent with the North Dakota Wheat Commission, expressing its intent to purchase a total of 1.7 million megatons of wheat in 2014 and 2015, the value of this purchase is estimated to be \$484.5 million; and

**WHEREAS**, Governor Jack Dalrymple remarked that Taiwan has been one of North Dakota's most dependable markets for hard spring wheat; and

**WHEREAS**, Taiwan and the United States resumed negotiations under the Trade and Investment Framework Agreement in March 2013, after a five-year hiatus, and held the eighth round of negotiations in April 2014; and

**WHEREAS**, a Bilateral Investment Agreement would give investors in both economies greater assurance that the capital they are putting at risk in each others market will be adequately protected; and

**WHEREAS**, the United States has already concluded, or is seeking to negotiate, Bilateral Investment Agreements with 9 of its top 10 trading partners, and Taiwan is the sole exception; and

**WHEREAS**, opening negotiations for a Bilateral Investment Agreement between the United States and Taiwan will provide more stability for strong two-way investment ties; and

**WHEREAS**, Taiwan hopes to work, via regional economic bodies, to further develop bilateral and multilateral trade with the United States and other nations in the Asia-Pacific region, seeking to join the United States led Trans-Pacific Partnership; and

**WHEREAS**, in early October 2013, the former Vice President of Taiwan, Vincent C. Siew, engaged in bilateral discussions with the United States Secretary of State, John F. Kerry, regarding in-depth exchange of opinions on economic and trade cooperation between Taiwan and the United States, as well as Taiwan's future participation in the Trans-Pacific Partnership; and

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

**WHEREAS**, the development of international civil aviation in a safe and orderly manner is the ultimate objective of the International Civil Aviation Organization; and

**WHEREAS**, without Taiwan's participation, international flight plans, regulations and procedures that the International Civil Aviation Organization formulates will be incomplete and unsafe; and

**WHEREAS**, Taiwan's airspace accommodates 14 international flight routes, and Taiwan's air traffic controllers help direct 1.3 million international flights through Taiwan's airspace per year; and

**WHEREAS**, Mr. Roberto Kobeh Gonzalez, President of the International Civil Aviation Organization, sent a letter to Ms. Shen Chi, Director General of the Civil Aeronautics Administration, inviting her to lead a delegation to the 38<sup>th</sup> Session of the Assembly of the International Civil Aviation Organization to be convened September 24 to October 4, 2013, in Montreal, Canada, as his guests under the name "Chinese Taipei"; and

**WHEREAS**, the United States Department of State spokesperson, Jen Psaki, and the United States Secretary of Transportation, Anthony Foxx, have both expressed their support for this development;

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

That the Sixty-fourth Legislative Assembly urges North Dakota to continue its endorsement and support of the relationship and shared interests between the people of the Republic of China (Taiwan) and the State of North Dakota; that the Sixty-fourth Legislative Assembly welcomes the resumption of Trade and Investment Framework Agreement talks between the United States and Taiwan and expresses support for Taiwan's effort to secure entry into the Trans-Pacific Partnership along with the United States and other friendly Asia-Pacific Rim countries, as well as expressing support of the signing of the Bilateral Investment Agreement with the United States; that the Sixty-fourth Legislative Assembly endorses Taiwan's meaningful participation in the International Civil Aviation Organization as an observer.

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to United States Secretary of State, John F. Kerry; Secretary General of the International Civil Aviation Organization, Mr. Raymond Benjamin; United States Secretary of Transportation, Mr. Anthony Foxx; Governor of the Taiwan Provincial Government, Mr. Junq-Tzer Lin; and Director General of the Taipei Economic and Cultural Office in Kansas City, Mr. Jiu-Chung Yang.

Filed March 26, 2015

## CHAPTER 542

### SENATE CONCURRENT RESOLUTION NO. 4014

(Senators Armstrong, Schneider)

A concurrent resolution directing the Legislative Management to study reinvestment scenarios and potential priorities for legacy fund earnings.

**WHEREAS**, the legacy fund should remain a permanent, sustainable resource for future generations that fosters self-sufficiency, creates opportunity, and enhances quality of life for all citizens; and

**WHEREAS**, the state should implement the highest standards and practices of governance, accountability, and transparency to guide legacy fund policies, procedures, decisions, and actions; and

**WHEREAS**, the legislature should make long-term, sustainable investments in North Dakota's future through the responsible stewardship of revenue generated from a finite natural resource; and

**WHEREAS**, North Dakota is a place where we foster and reinforce core values of hard work, self-sufficiency, innovation, equity, and stewardship; and

**WHEREAS**, the principal of the legacy fund should be used only as a resource of last resort in times of exceptional need; and

**WHEREAS**, the legacy fund earnings can provide for a significant portion of the state's future needs by compensating for the reduction in revenues once oil and gas production begins to decline; and

**WHEREAS**, if legacy fund earnings are reinvested into the fund, the fund would substantially grow to benefit future generations of North Dakotans; and

**WHEREAS**, existing state resources can be used to address critical needs and priorities of citizens and communities today, rather than drawing on the legacy fund; and

**WHEREAS**, North Dakota can invest a portion of future legacy fund earnings in bold, visionary, and transformative actions that build assets and enhance quality of life for North Dakota citizens today and in the future;

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

That the Legislative Management study reinvestment scenarios and potential priorities for legacy fund earnings; 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 26, 2015

## CHAPTER 543

### SENATE CONCURRENT RESOLUTION NO. 4016

(Senators Heckaman, Wanzek)  
(Representatives Devlin, Headland, Pollert, Vigesaa)

A concurrent resolution urging Congress and the President of the United States to direct the federal Food and Drug Administration to allow the use of experimental medications to treat Pantothenate kinase-associated neurodegeneration (PKAN) for the benefit of the three children of the Kulsrud family living in Grace City, North Dakota.

**WHEREAS**, the three children of the Kulsrud family have been diagnosed with PKAN and are unlikely to enjoy a full life as adults; and

**WHEREAS**, the oldest of the Kulsrud children has reached the average age of expected survival; and

**WHEREAS**, the other two Kulsrud children are rapidly progressing into the later stages of the disease; and

**WHEREAS**, experimental treatments are available that could prolong the lives of the Kulsrud children; and

**WHEREAS**, these experimental treatments may also provide significant improvements in the Kulsrud children's overall quality of life; and

**WHEREAS**, the federal Food and Drug Administration has the authority to allow the use of experimental drugs for the treatment of rare diseases and disorders, such as PKAN; and

**WHEREAS**, there are experimental medical options available that the federal Food and Drug Administration have not allowed the Kulsrud family to access;

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

That the Sixty-fourth Legislative Assembly urges Congress and the President of the United States to direct the federal Food and Drug Administration to allow the use of experimental medications to treat Pantothenate kinase-associated neurodegeneration (PKAN) for the benefit of the three children of the Kulsrud family living in Grace City, North Dakota; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution, via certified mail return receipt requested, to the Surgeon General of the United States, the Commissioner of the federal Food and Drug Administration, and each member of the North Dakota Congressional Delegation; and

**BE IT FURTHER RESOLVED**, that the Sixty-fourth Legislative Assembly urges Congress and the President of the United States to direct the federal Food and Drug

Administration to review and update the Compassionate Care application process so a greater number of terminally ill patients may benefit.

Filed April 7, 2015

## CHAPTER 544

### SENATE CONCURRENT RESOLUTION NO. 4017

(Senators Wardner, Hogue, Schneider)  
(Representatives Delmore, Klemin, K. Koppelman)

A concurrent resolution urging the United States Senate Committee on the Judiciary to support S. 2536, the Stop Advertising Victims of Exploitation (SAVE) Act, to provide for more stringent inquiry into the age and circumstances of those whose availability is being advertised on websites that facilitate human trafficking.

**WHEREAS**, according to the Federal Bureau of Investigation (FBI), human trafficking is the fastest-growing business of organized crime in the world; and

**WHEREAS**, it is estimated human trafficking generates nearly \$150 billion each year in illegal profits; and

**WHEREAS**, according to the FBI, nearly 300,000 American youths are at risk of becoming victims of commercial sexual exploitation; and

**WHEREAS**, in just one week in June 2014, law enforcement arrested 281 alleged sex traffickers and took 168 children out of prostitution in a nationwide FBI crackdown; and

**WHEREAS**, the use of adult services sections on websites has created virtual brothels where children are bought and sold; and

**WHEREAS**, current federal law makes it difficult, if not impossible, for state and local law enforcement authorities to hold accountable those who use Internet websites to promote illegal trade in the sex trade, in particular those trafficking in minor children;

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

That the Sixty-fourth Legislative Assembly urges the United States Senate Committee on the Judiciary to support S. 2536, the Stop Advertising Victims of Exploitation (SAVE) Act, to provide for more stringent inquiry into the age and circumstances of those whose availability is being advertised on websites that facilitate human trafficking; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Chairman of the United States Senate Committee on the Judiciary and to each member of the North Dakota Congressional Delegation.

Filed April 8, 2015

**CHAPTER 545****SENATE CONCURRENT RESOLUTION NO. 4018**

(Senator Dever)

A concurrent resolution directing the Legislative Management to study the use of seclusion and restraint procedures in schools.

**WHEREAS**, seclusion and restraint procedures are safety procedures designed to isolate a student from others or to hold a student in response to behavior that places the student or other students at risk of injury; and

**WHEREAS**, states have reported adverse consequences from the use of seclusion and restraint procedures in schools; and

**WHEREAS**, research indicates that seclusion and restraint procedures are prone to misapplication and abuse, potentially placing students in more danger than the initial behavior; and

**WHEREAS**, this state does not track the frequency with which seclusion and restraint procedures are used in schools; and

**WHEREAS**, this state is one of eighteen that does not have laws directly addressing the use of seclusion and restraint procedures in schools;

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

That the Legislative Management study the use of seclusion and restraint procedures in schools; 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 26, 2015

## CHAPTER 546

### SENATE CONCURRENT RESOLUTION NO. 4019

(Senators Heckaman, Murphy)  
(Representatives Kelsh, Mooney, J. Nelson)

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of procuring health insurance, workers' compensation insurance, or other benefits for volunteer firefighters, volunteer emergency medical service personnel, and volunteer ambulance workers across the state, including determining whether the community volunteers would be covered in the case of an accident or injury, the scope and conditions of coverage, and the overall cost to insure community volunteers.

**WHEREAS**, volunteer firefighters, volunteer emergency medical service personnel, and volunteer ambulance workers are a vital resource regarding the administration of aid to others in times of crisis; and

**WHEREAS**, it is important to offer protection and peace of mind to volunteers, and their families, who willingly place themselves in harm's way for the benefit of those in need; and

**WHEREAS**, a failure to look out for the health and well-being of volunteers may have a negative impact on those individuals' willingness to continue to fill vital volunteer roles in the future to the detriment of the entire state;

**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 procuring health insurance, workers' compensation insurance, or other benefits for volunteer firefighters, volunteer emergency medical service personnel, and volunteer ambulance workers across the state, including determining whether the community volunteers would be covered in the case of an accident or injury, the scope and conditions of coverage, and the overall cost to insure community volunteers; 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 9, 2015



## CHAPTER 547

### SENATE CONCURRENT RESOLUTION NO. 4020

(Senators Miller, Klein, Wanzek)  
(Representatives Headland, D. Johnson, M. Nelson)

A concurrent resolution urging Congress to establish food labeling standards, direct the clarification of voluntary food labeling standards, and provide for a review of foods derived through the use of biotechnology.

**WHEREAS**, the United States Food and Drug Administration, the American Medical Association, the World Health Organization, Health Canada, the United States Department of Agriculture, the National Academy of Sciences, the United Nations Food and Agriculture Organization, and the European Food Safety Authority, among others, have determined that genetically modified crops grow in the same fashion as those that are not genetically modified and that foods produced with genetically modified ingredients are safe for human consumption; and

**WHEREAS**, genetically modified technology adds desirable traits from nature, without introducing anything unnatural and without using chemicals to increase food production; and

**WHEREAS**, genetically modified technology has been used to produce food products for more than twenty-five years; and

**WHEREAS**, seventy to eighty percent of the foods consumed in this country, both at home and away from home, contain genetically modified ingredients or are genetically modified whole products; and

**WHEREAS**, genetically modified crops are produced on a sustainable basis; and

**WHEREAS**, genetically modified technology is essential for rapid crop adaptation to climatic changes and prevalent diseases and ultimately essential to ensure the long-term sustainable production of an adequate, wholesome, and economical food supply; and

**WHEREAS**, a patchwork of local and state mandatory labeling laws and regulations will force costly changes to manufacturing, labeling, warehousing, inventory, and distribution channels; and

**WHEREAS**, a patchwork of local and state mandatory labeling laws and regulations will require manufacturers and retailers to make immediate and consequential changes to their businesses in order to comply with such requirements, and will thereby result in higher food prices; and

**WHEREAS**, testing to determine if products are exempt will result in higher food prices; and

**WHEREAS**, relabeling or reformulating products with specially handled, higher-priced ingredients will result in higher food prices; and

**WHEREAS**, requiring separate production runs, state-specific tracking units, segregated warehousing, trucking, and other logistical complexities, will all result in higher food prices;

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

That the Sixty-fourth Legislative Assembly urges the Congress of the United States to establish food labeling standards, direct the clarification of voluntary food labeling standards, and provide for a review of foods derived through the use of biotechnology; and

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

Filed March 24, 2015

## CHAPTER 548

### SENATE CONCURRENT RESOLUTION NO. 4021

(Senators Mathern, J. Lee)  
(Representatives Silbernagel, Hogan, Hofstad)

A concurrent resolution directing the Legislative Management to study how the institution for mental disease Medicaid reimbursement exclusion impacts this state, including the impact on Medicaid enrollees and on private and public sector providers.

**WHEREAS**, Medicaid's institution for mental disease exclusion provides Medicaid does not reimburse psychiatric institutions, referred to in Medicaid as "institutions for mental disease", for services provided to Medicaid enrollees aged 21 to 64; and

**WHEREAS**, the services institutions for mental disease provide have evolved significantly since the 1960s when the institution for mental disease exclusion was created; and

**WHEREAS**, due to the institution for mental disease exclusion, many Medicaid enrollees with acute psychiatric needs, such as those expressing suicidal or homicidal thoughts, are diverted to general hospital emergency departments, which often lack the resources or expertise to care for these patients; and

**WHEREAS**, the institution for mental disease exemption not only negatively impacts the three freestanding psychiatric hospitals in the state, but there are multiple other mental health service providers that are negatively impacted; and

**WHEREAS**, the state hospital and private providers are accredited by The Joint Commission on Accreditation on Health Care Facilities providing evidence-based clinical measures that are shown to improve patient care for hospital-based inpatient psychiatric services; and

**WHEREAS**, the 2015-17 executive budget includes funding of \$76.2 million, of which \$62.5 million is from the general fund for operations of the state hospital; and

**WHEREAS**, the federal Affordable Care Act provided for an emergency psychiatric demonstration program, which provided selected states with federal Medicaid matching funds to reimburse private psychiatric hospitals for emergency inpatient psychiatric care provided to Medicaid recipients aged 21 to 64 who are experiencing a psychiatric emergency; and

**WHEREAS**, the federal Department of Health and Human Services is evaluating the demonstration program and has released preliminary data, and in 2016 will be issuing a complete report of the results of the evaluation;

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

That the Legislative Management study how the institution for mental disease Medicaid reimbursement exclusion impacts this state, including the impact on Medicaid enrollees and on private and public sector providers; 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 8, 2015