

# HOUSE CONCURRENT RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 3002  
(Royce, Lundene, Rau)  
(From Legislative Council Study)

## STUDY OF MENTAL INSTITUTION COMMITMENT

A concurrent resolution directing the Legislative Council to carry out a study of mental health and retardation commitment procedures and the in-hospital procedures relating to the custody and treatment of persons hospitalized because of mental disability.

WHEREAS, the mental health and retardation commitment statutes of several states have been subject to legal attack, and have been found unconstitutional in several instances; and

WHEREAS, the interim Committee on Judiciary "A" did not have time to study mental illness commitment procedures as they relate to criminal offenders, and the Committee believes that the whole subject should be studied thoroughly; and

WHEREAS, involuntary commitment to a mental hospital or retardation treatment facility is a serious deprivation of personal liberty equivalent to the deprivation of liberty which can follow a criminal conviction; and

WHEREAS, a person should not be subjected to a deprivation of personal liberty by a governmental agency unless there are assurances that he will be afforded full due process of law;

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

That the Legislative Council is directed to study the statutes and case law relating to mental health and mental retardation commitment procedures, and in-facility procedures utilized in the treatment and detention of persons who are mentally ill or mentally retarded, to ensure that such statutes and procedures meet requirements of due process of law, and the needs of the persons and institutions involved. The Legislative Council may seek such assistance from the appropriate state institutions as may be reasonably necessary, and may appoint citizen members to assist it in carrying out this study. The Council shall report its findings and recommendations, along with any necessary legislation, to the Forty-fifth Legislative Assembly.

HOUSE CONCURRENT RESOLUTION NO. 3003  
(Wagner, Eagles, Dotzenrod, Kermott, Laske, Solberg)  
(From Legislative Council Study)

## COORDINATION OF HUMAN SERVICES

A concurrent resolution directing the State Departments of Health and Social Services and the directors and boards responsible for the operation of area social service centers and comprehensive mental health and retardation centers to coordinate and consolidate human services provided by comprehensive mental health and retardation centers and area social service centers.

WHEREAS, the Legislative Council has conducted a number of studies during the past six years which have indicated the need for greater cooperation in the delivery of human services on the local level in order to achieve a high level of service to people and to deliver it in an efficient manner; and

WHEREAS, the Forty-second and Forty-third Legislative Assemblies, in the text of appropriations bills, directed the State Departments of Health and Social Services to coordinate services provided by area centers; and

WHEREAS, the Committee on Medical Education and Government Administration heard reports on the successful establishment of human service centers in Williston and Dickinson, and plans for similar centers in other areas of the State; and

WHEREAS, the Committee on Medical Education and Government Administration believes that much could be achieved through further cooperative efforts on the part of agencies and departments delivering human services;

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

That the Departments of Health and Social Services take such action as may be necessary to coordinate and consolidate wherever possible the services of existing area social service centers and community mental health and retardation centers during the 1975-77 interim; and

BE IT FURTHER RESOLVED, that the directors and board members of the area social service centers and comprehensive mental health centers consolidate and coordinate their activities and programs wherever possible during the 1975-77 biennium.

Filed March 31, 1975

HOUSE CONCURRENT RESOLUTION NO. 3006  
(Tinjum, Meiers)

## URGING LAND BOARD SALES IN AUTUMN

A concurrent resolution urging the Board of University and School Lands to make dispositions of lands under the control of the board in the fall of the year.

WHEREAS, the Constitution and laws of North Dakota give the Board of University and School Lands full control of the selection, appraisalment, rental, sale, disposal, and management of public lands under the jurisdiction of the board; and

WHEREAS, the Board of University and School Lands should and does exercise its collective judgment relating to its responsibilities regarding the management of public lands in the best interests of the state and its citizens; and

WHEREAS, citizens of this State who rent land from the board for the purpose of raising livestock thereon may at times be damaged economically if the land is sold and the occupant renting the land is forced to remove his cattle before having the opportunity to use the land for the purpose for which it was rented;

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

That the Board of University and School Lands is hereby urged to adopt a policy of offering for sale and selling public land only during the months of October, November, and December unless special exigencies of a situation dictate otherwise; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the members of the Board of University and School Lands and other state agencies.

Filed March 12, 1975

HOUSE CONCURRENT RESOLUTION NO. 3008  
(Glassheim)URGING FOOD PURCHASES  
FOR STARVING NATIONS

A concurrent resolution urging Congress and the United States Department of Agriculture to purchase food and agricultural products for distribution to starving nations.

WHEREAS, the population of the world is increasing rapidly; and

WHEREAS, with the exception of the United States and a few other lesser producers of food and agricultural products, the nations of the world are unable to feed themselves adequately; and

WHEREAS, it is estimated that thousands of people in nations in Africa and the Far East, notably India and Bangladesh, starve to death each day; and

WHEREAS, scientists have demonstrated that young children who do not have adequate diets and who survive periods of famine often suffer irreparable brain damage, and adults who survive periods of famine and food shortages have a reduced tolerance to disease; and

WHEREAS, food and agricultural products grown in North Dakota have a high nutritional value; and

WHEREAS, the accessible food supplies of such starving nations have been severely limited during the past year because of massive crop failures in certain major food-producing nations and because of crops which produced much less than was anticipated; and

WHEREAS, rapidly spiraling food prices have further limited accessible food supplies to starving nations; and

WHEREAS, North Dakota is known as the food basket of the world; and

WHEREAS, the residents of North Dakota have produced large amounts of food and agricultural products during the last harvest season, despite a late spring and subsequent dry summer;

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

That the Forty-fourth Legislative Assembly respectfully urges the Congress of the United States to authorize the Department of Agriculture to purchase food and agricultural products for the purpose of distributing such food and agricultural products among nations of the world which are presently experiencing famine and severe food shortages; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the members of the North Dakota Congressional Delegation.

Filed March 12, 1975

## HOUSE CONCURRENT RESOLUTION NO. 3013

(Lundene)

## DESIGNATION OF ASSOCIATE POETS LAUREATE

A concurrent resolution requesting that Lydia O. Jackson and Henry R. Martinson be designated as Associate Poets Laureate of North Dakota.

WHEREAS, Corbin A. Waldron was designated as Poet Laureate of the State of North Dakota by the Thirty-fifth Legislative Assembly and has served with honor and distinction in such capacity since that time; and

WHEREAS, Lydia O. Jackson was born in North Dakota and is a highly respected lifelong resident of the State; and

WHEREAS, Mrs. Jackson is the author of several books of poems including: Rhymes for Every Season, 1943; Selected Poems, 1962; and Pardon My Gaff, 1965. Mrs. Jackson also compiled a book of poems entitled Peace Garden of Verses, 1967, and has written many poems which have particular significance and meaning for the State of North Dakota, including Sakakawea In Bronze; and

WHEREAS, Mrs. Jackson has received the unusual honor and distinction of having her work acclaimed by her contemporaries in the field of poetry, as evidenced by the inclusion of a biographical sketch of her life in the International Who's Who In Poetry on several occasions and as evidenced by her designation as Poet Laureate by the American Poets Fellowship Society in 1972-73; and

WHEREAS, Henry R. Martinson is a respected and long-time citizen of this State and is of high moral character; and

WHEREAS, Mr. Martinson homesteaded eighteen miles southwest of Crosby, worked as a member of the painter's trade in Minot, and subsequently worked with the labor movement and conducted a class in Labor History during the depression; and

WHEREAS, Mr. Martinson was an unsuccessful candidate for public office on several occasions, but was appointed Deputy Commissioner of Labor by the Commissioner of Agriculture and Labor and served in that capacity from 1937 until 1965; and

WHEREAS, the same Mr. Martinson is a poet and compiled the published book of poems entitled "Old Trails and New", and was the editor of the "Iconoclast" which featured poetry in almost every issue by both local poets and poets of national fame;

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

That Lydia O. Jackson of Grafton, North Dakota, and Henry R. Martinson of Fargo, North Dakota, be designated as Associate Poets Laureate of the State of North Dakota until a successor is named for each by the Legislature; and

BE IT FURTHER RESOLVED, that duly enrolled copies of this resolution be forwarded by the Clerk of the House of Representatives to Mrs. Lydia O. Jackson and Mr. Henry R. Martinson.

Filed February 5, 1975

HOUSE CONCURRENT RESOLUTION NO. 3014  
(Rylance)

## BICENTENNIAL CELEBRATION URGED

A concurrent resolution urging a celebration to commemorate the bicentennial anniversary of the signing of the Declaration of Independence.

WHEREAS, the Continental Congress, by a Declaration of Independence, dated July 4, 1776, clearly declared that the inhabitants of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia were no longer colonial subjects to be exploited arbitrarily by servants of the King and Parliament of Great Britain, but now were free citizens of their own territories, and that free citizens should constitute the governments for those territories; and

WHEREAS, the Continental Congress provided that same day, by orders of their House, that their Declaration should be proclaimed aloud and published to the free citizens of the territories represented in their Congress; and

WHEREAS, the publishing of the Declaration to responsible citizens was then done by sheriffs, who proclaimed it at the courthouse steps, by clergymen, who read it from their pulpits, and by printers, who printed it in their gazettes; and

WHEREAS, the Continental Congress thus initiated a process that has created the Constitutions and State Governments of our Union, including the Constitution and government of the State of North Dakota; and

WHEREAS, one hundred thirteen years later to the day, on July 4, 1889, a Convention of responsible citizens assembled at Bismarck, Dakota Territory, under and by virtue of an Act of the Congress of the United States "to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and state governments, and to be admitted into the union on an equal footing with the original states";

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

That the Governor of the State of North Dakota is urged to ask the sheriff of each county of the State to read or cause to be read, at the respective county courthouse door, aloud and with fitting ceremonies, at a convenient morning hour on July 4, 1976, the Declaration of Independence made by the Continental Congress two hundred years before, and the first paragraph of the Journal of the North Dakota Constitutional Convention of 1889; and

BE IT FURTHER RESOLVED, that the Governor of the State of North Dakota is urged to ask the Board of County Commissioners of each county to invite an appropriate orator to speak briefly after the reading of the Declaration upon some aspect of the significance of the Declaration of Independence, and to arrange fitting ceremonies for the occasion, suggesting:

1. Band music and singing of the song Yankee Doodle Dandy, Dixie, and the Star Spangled Banner by everyone present;
2. A public recitation of the names of the five oldest citizens living in their respective county;
3. Displays of the State Flower, the Wild Prairie Rose, and playing recordings of the song of the State Bird, the Meadowlark; and
4. Cheers for the Constitutions of our Nation and State; and

BE IT FURTHER RESOLVED, that the Governor of the State of North Dakota is urged to request the American Legion, the Veterans of Foreign Wars, and other military and service organizations to provide appropriate units at each county courthouse to fire a volley for each of the thirteen original States prior to the reading of the Declaration of Independence, and to fire a volley for each of the present fifty States to close such ceremonies; and

BE IT FURTHER RESOLVED, that the Governor is urged to suggest publicly to all clergymen that they hold fitting services at an appropriate hour on Sunday, July 4, 1976; and

BE IT FURTHER RESOLVED, that the Governor is urged to request the Board of County Commissioners of each county to arrange for public displays of fireworks, conducted with due precautions; and

BE IT FURTHER RESOLVED, that the Governor is urged to ask the publishers of the newspapers of the State to print in their issues on or before July 4, 1976, the text of the Declaration of Independence, together with the first paragraph of the Journal of the North Dakota Constitutional Convention of 1889; and

BE IT FURTHER RESOLVED, that the Governor is urged to invite the personnel of the radio and television stations of the State and all artists, writers, and photographers to record the celebrations of the day in each county for the amusement and edification of posterity; and

BE IT FURTHER RESOLVED, that the Governor is urged to invite the Governors and Legislatures of the other States of the Union to join with North Dakota in similar celebrations of the Nation's bicentennial; and

BE IT FURTHER RESOLVED, that the Governor is urged to request all free and responsible citizens of the State to participate in the ceremonies of July 4, 1976, and to this end the Governor is urged to cause this resolution to be published and circulated in such manner as he shall determine; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Governor of the State of North Dakota.

Filed March 24, 1975

HOUSE CONCURRENT RESOLUTION NO. 3017  
(Atkinson, Dotzenrod)

## STUDY OF ELECTION LAWS

A concurrent resolution directing the Legislative Council to conduct a study of the election laws and procedures of the State of North Dakota.

WHEREAS, questions have arisen as to the proper procedures for canvassing and contesting elections; and

WHEREAS, there has been evidenced a need for revision of the procedures for conducting recounts of election results so that uniform interpretation and application of electoral process requirements is ensured; and

WHEREAS, the electoral laws and procedures have not been reviewed to correlate state statutes with electoral requirements of federal law and statutes; and

WHEREAS, the method of ballot preparation, distribution, and return has not been recently reviewed to meet requirements of a modern and efficient electoral process;

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

That the Legislative Council is hereby authorized and directed to conduct a study and review of the election laws of the State of North Dakota for the purpose of revising and modernizing such laws in order to clarify voting procedures and responsibilities and eliminating factors which tend to disenfranchise voters. The Council shall direct its efforts towards a revision of the substance, form, and style of current voting statutes, towards integration and correlation of those statutes where possible, and towards deletion of outmoded or unnecessary statutory material or procedures. The Council shall also review each measure, dealing with election laws, which was introduced during the Forty-fourth Legislative Assembly.

The Council may seek the aid and assistance of public officials, political party officials, and interested citizens. The Council shall prepare necessary revision legislation and shall make its report and submit any accompanying legislation to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3019  
(Nicholas)URGING GOVERNOR TO CONSIDER  
DISASTER STATUS

A concurrent resolution requesting the Governor to study the results of the recent storm and determine the desirability of declaring certain counties disaster areas.

WHEREAS, the recent devastating storm of January 10, 11, and 12, 1975, has caused a yet undetermined amount of damage and economic loss throughout the State of North Dakota; and

WHEREAS, initial reports show the economic loss caused by the storm will probably surpass that of the storm of 1966; and

WHEREAS, the loss of cattle alone may number well into the thousands in several North Dakota counties; and

WHEREAS, such cattle loss by ranchers combined with loss to farmers and businessmen may cause economic hardship in numerous areas of the State; and

WHEREAS, the cattle losses compound a disastrous economic situation already prevailing in the livestock industry;

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

That the Forty-fourth Legislative Assembly requests Governor Arthur A. Link to study and assess the results of the recent storm and determine the desirability of declaring certain counties disaster areas, and to ensure that all efforts are made to make emergency reserves of feed grains, still in government hands, available to producers; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the clerk of the House of Representatives to Governor Arthur A. Link.

Filed March 12, 1975

## HOUSE CONCURRENT RESOLUTION NO. 3020

(R. Meiers, Tinjum)

**SORROW ON DEATH OF  
LAST MANDAN INDIAN**

A concurrent resolution expressing sorrow on the death of Mrs. Mattie Grinnell, the last known full-blooded Mandan Indian.

WHEREAS, Mattie Grinnell of Twin Buttes, North Dakota, has died at the age of 108; and

WHEREAS, Mrs. Grinnell was believed to be the last full-blooded survivor of a proud race, the Mandan Indians, who settled in the Missouri River Valley as early as 1300 A.D.; who lived here peacefully farming and hunting for six centuries before the appearance of white men; who aided the early white explorers and fur traders of the area, including Lewis and Clark; and who were decimated by a smallpox epidemic in 1837; and

WHEREAS, Mrs. Grinnell held a deep and abiding concern for her people and their traditions which she demonstrated by continuing the customs and rituals of her people into the last quarter of the Twentieth Century; and

WHEREAS, Mrs. Grinnell expressed her concern by participating in the Poor People's March in Washington, D.C., in 1968, when she was 101 years old; and

WHEREAS, Mrs. Grinnell was the widow of a veteran of the Union Army which fought for the preservation of this Republic in the American Civil War; and

WHEREAS, the passing of Mrs. Grinnell represents the passing of a people and a way of life;

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

That the members of the Forty-fourth Legislative Assembly officially express their sorrow at Mrs. Grinnell's death and their condolences to her family; and

BE IT FURTHER RESOLVED, that the Legislative Assembly encourages surviving persons who speak the Mandan language and who hold the Mandan traditions and legends as their own to preserve this language and these customs for posterity; and

BE IT FURTHER RESOLVED, that the Legislative Assembly recognizes the tragic history of the Mandan Indians and acknowledges the passing of a people whose culture could not survive the onslaught of white European culture on the North American Plains; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the clerk of the House of Representatives to Mrs. Grinnell's family.

Filed February 5, 1975

HOUSE CONCURRENT RESOLUTION NO. 3022  
(Bunker, Backes, Strinden)

## CONGRESS URGED NOT TO PASS MINING LAW

A concurrent resolution urging the Congress not to pass legislation which would regulate abandoned unreclaimed lands nor to pass legislation which would put a per-ton charge on surface-mined coal.

WHEREAS, Congress has passed and the President has vetoed the Surface Mining Control and Reclamation Act of 1974 which, among other matters of concern, deals with the control of the environmental impacts of surface coal mining and more specifically with the reclamation of abandoned mine sites and with the charging of a "reclamation fee" on a per-ton basis on surface-mined coal; and

WHEREAS, the North Dakota Legislative Assembly applauds the finding of Congress within the vetoed Act to the effect that "the primary governmental responsibility for developing, authorizing, issuing, and enforcing regulations for surface mining and reclamation operations should rest with the State", and the North Dakota Legislative Assembly furthermore applauds the purpose of Congress within the vetoed Act to "promote the reclamation of mined areas left without adequate reclamation and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of the land or water resources, or endanger the health or safety of the public"; and

WHEREAS, surface mining for coal has been conducted for many years within North Dakota before the Legislative Assembly enacted a reclamation statute, with the result that there are presently abandoned, unreclaimed lands which the State desires to be left to the jurisdiction of the State so that the desires of citizens of the State may be followed in determining whether a particular tract of land should be reclaimed to a previous contour or use, whether the tract should be reclaimed for the benefit of wildlife which thrive in certain mined lands, or whether the land should be reclaimed for other special or higher uses; and

WHEREAS, any flat tax applied to both bituminous and lignite coal, as suggested by the vetoed Act, would be discriminatory against lignite coal producing states, as the value of lignite coal is much lower than the value of bituminous coal; and

WHEREAS, the North Dakota Legislative Assembly, in dealing with potential large-scale coal development, is considering a severance tax on a per-ton basis for surface-mined coal, and if the State imposes such a severance tax and the Federal Government imposes a "reclamation fee" of the variety suggested in the vetoed Act, it may become economically impossible for the vast lignite reserves of North Dakota to be developed for the benefit of the entire Nation; and

WHEREAS, the Legislative Assembly of the State of North Dakota, in the spirit of the finding and the purpose of Congress as listed in the Surface Mining Control and Reclamation Act of 1974 and as cited herein, desires to control its own destiny by taking upon itself the responsibility of developing, authorizing, issuing, and enforcing laws and regulations for surface mining and reclamation operations within the area of its own sovereignty;

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

That the Congress of the United States is hereby urged and requested to pass legislation in the area of surface mining and control which will not interfere with the rights of individual states to deal with abandoned, unreclaimed lands as they deem necessary and desirable; and

BE IT FURTHER RESOLVED, that the Congress of the United States is hereby urged and requested to pass legislation in the area of surface mining and reclamation which will not have the effect of requiring individual states to forego either their own severance tax or to forego potential coal development, because of a federal severance tax; and

BE IT FURTHER RESOLVED, that duly enrolled copies of this resolution be forwarded by the Secretary of State to the President of the United States, to the President of the Senate of the United States, to the Speaker of the United States House of Representatives, and to each member of the North Dakota Congressional Delegation.

Filed March 24, 1975

HOUSE CONCURRENT RESOLUTION NO. 3027  
(Fleming)

## INSURANCE LAW STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the insurance laws of the State of North Dakota.

WHEREAS, there are 373 life insurance companies, 432 casualty insurance companies, 29 county mutual insurance companies, 10 title insurance companies, 21 fraternal insurance companies, 4 benevolent insurance companies, and 4 nonprofit insurance companies licensed and doing business in North Dakota; and

WHEREAS, there are many types of insurance currently being sold in North Dakota, including accident and sickness insurance, fire and allied lines insurance, life insurance, hail insurance, automobile insurance, and liability and casualty insurance; and

WHEREAS, the statutory provisions of the North Dakota Century Code governing the Insurance Department and the regulation of the various types of domestic and foreign insurance companies and governing the provisions of various types of insurance policies were, for the most part, enacted many years ago; and

WHEREAS, it would be desirable that the insurance laws be closely scrutinized to assure North Dakota citizens who are consumers of insurance that policies of insurance sold in North Dakota and the laws of North Dakota relating to insurance are capable of fulfilling modern-day insurance needs;

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

That the Legislative Council is hereby directed and authorized to undertake a study of North Dakota's insurance laws for the purposes of determining whether or not North Dakota insurance laws are becoming archaic and outdated in light of modern-day insurance needs and determining whether or not additional insurance laws are needed; and

BE IT FURTHER RESOLVED, that the Legislative Council undertake this study with the purpose, to the extent possible, that the language of the statutes and the provisions of the insurance policies specified by statute be simplified where possible to make them more comprehensible to consumers desiring to purchase the policies; and

BE IT FUTHER RESOLVED, that the Legislative Council submit its report and recommendations, together with the legislation required to implement such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3029  
(Mertens, H. Johnson, Hildebrand)

## URGING BIRD DEPREDATION COMPENSATION

A concurrent resolution urging Congress to enact legislation to provide reimbursement to farm owners and operators for damage through depredation by migratory birds.

WHEREAS, the State of North Dakota is a primary producer of small grains; and

WHEREAS, this production of small grains is vital to the food supplies of the United States and of the world; and

WHEREAS, large amounts of federal funds have been appropriated to lease and purchase wetlands under the United States Department of the Interior's Bureau of Sports Fisheries and Wildlife's acquisition program; and

WHEREAS, migratory birds are considered a nationally owned natural resource and are protected by national and international treaties and agreements; and

WHEREAS, the State of North Dakota is a primary production area for migratory birds; and

WHEREAS, farm owners and operators alone bear the entire burden of the substantial crop damage caused through depredation by the increasing population of migratory birds; and

WHEREAS, it would be in the interest of fairness and equity to provide a means for all citizens of the Nation to bear the burden of the damage caused through depredation by migratory birds; and

WHEREAS, to continue the substantial production of small grains essential to the Nation and to the world, farm owners and operators who incur financial losses through depredation by migratory birds should receive reasonable compensation for such losses;

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

That the Forty-fourth Legislative Assembly strongly urges

the Congress of the United States to enact legislation which would compensate farm owners and operators for the damage caused through depredation by migratory birds, institute in at least three North Dakota counties an immediate pilot program patterned after the program instituted by Canada, and continue funding the fish and wildlife service in its research activities, the development of scaring devices, and the compilation of statistical information; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of the United States, the Secretary of the Department of the Interior, and to each member of the North Dakota Congressional Delegation.

Filed March 24, 1975

HOUSE CONCURRENT RESOLUTION NO. 3031  
(Strinden, Raymond)

## COMMENDING FIDO PURPUR

A concurrent resolution commending Mr. Clifford "Fido" Purpur upon his induction into the United States Hockey Hall of Fame.

WHEREAS, Mr. Clifford "Fido" Purpur of Grand Forks was inducted into the United States Hockey Hall of Fame in October of 1974; and

WHEREAS, Mr. Purpur is the only North Dakota native to ever play in the National Hockey League and the only North Dakota native ever to be selected for the United States Hockey Hall of Fame; and

WHEREAS, Mr. Purpur has had a long and distinguished career as a hockey player at the high school, amateur, and professional levels, including fourteen years with such professional hockey teams as the Minneapolis Millers, St. Louis Flyers, Chicago Black Hawks, and the Detroit Red Wings; and

WHEREAS, Mr. Purpur was the leading force in establishing hockey in the high schools and universities in North Dakota and served as a coach for both the Grand Forks Central High School "Redskins" and the University of North Dakota "Fighting Sioux" hockey teams;

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

That the forty-fourth Legislative Assembly heartily commend Mr. Clifford "Fido" Purpur for his induction into the United States Hockey Hall of Fame and for his many years of service in bringing hockey at various levels to North Dakota youngsters; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Mr. Clifford "Fido" Purpur of Grand Forks.

Filed February 6, 1975

HOUSE CONCURRENT RESOLUTION NO. 3032  
(Freborg)

## STUDY OF INCREASES IN STATE SPENDING

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of tying increases in the level of state spending to increases in personal income of all citizens of North Dakota; and to study the growth of general fund expenditures and personal income during the past two decades.

WHEREAS, between the years 1962 and 1972, State Government grew one hundred fifteen percent while the personal income of its citizens grew only seventy-two percent; and

WHEREAS, other states, such as Arizona and California, which have conducted similar studies comparing the growth of personal income with the growth of government, have found that the growth of government substantially exceeds the growth of personal income; and

WHEREAS, former Governor Ronald Reagan of California had proposed a revenue and expenditure control amendment to the California Constitution in an attempt to ensure that state governmental growth in California did not exceed reasonable limits; and

WHEREAS, the Arizona Legislature also proposed a constitutional amendment to the people of that state which would have limited state spending to a percentage of total personal income of the state's citizens; and

WHEREAS, although both of these proposals were defeated, the proposals represent one potential solution to the problem of excessive governmental growth, and, as such, deserve study in North Dakota;

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

That the Legislative Council is hereby directed to study the growth of personal income and general fund expenditures during

the past two decades, and the feasibility and practicality of providing, by legislative enactment, constitutional amendment, or both, for a means of limiting state governmental growth, and tying state governmental expenditures to some indicator of the economic welfare of the citizenry as a whole. The Legislative Council is authorized to seek the assistance of citizens at large in carrying out this study, and all state agencies and institutions are hereby directed to give the Council such aid and assistance as it may reasonably require. The Legislative Council shall report its findings and recommendations, along with any necessary legislation, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3033  
(Freborg, Murphy)

**URGING GOVERNOR TO CAREFULLY CONSIDER  
DEER HUNTING SEASON**

A concurrent resolution urging the Governor to consider carefully the deer hunting season during 1975.

WHEREAS, the Governor is vested with final authority to declare by proclamation whether there shall be an open deer hunting season; and

WHEREAS, the Governor by such proclamation determines the areas, number of permits issued, and the length of the hunting season; and

WHEREAS, the Governor may order deer hunting season closed upon determination by him that such deer are in danger of depletion; and

WHEREAS, in recent years the number of deer hunters has increased causing a decrease in deer population; and

WHEREAS, such decrease in deer population in many areas of North Dakota has reached the point where deer are significantly depleted; and

WHEREAS, the recent severe blizzard will cause an even greater reduction in the State's deer population;

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

That the Forty-fourth Legislative Assembly urge the Governor to consider carefully the deer hunting season of 1975; and

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

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3036  
(Bye, Clancy, Schindler)

**URGING IN LIEU OF TAXES PAYMENTS  
FOR GARRISON DIVERSION UNIT**

A concurrent resolution urging Congress to enact legislation authorizing payment in lieu of taxes to counties in which lands are acquired for the Garrison Diversion Unit.

WHEREAS, the United States, through the Bureau of Reclamation, Department of the Interior, is in the process of acquiring a substantial amount of land in North Dakota for right-of-way for canals, drains, reservoirs, and related facilities to be constructed for the Garrison Diversion Unit, and is acquiring land for project recreation and wildlife development areas; and

WHEREAS, Federal law requires that payment in lieu of taxes be made to counties in which the Bureau of Reclamation has acquired land for Fish and Wildlife Development Areas associated with the Garrison Diversion Unit; and

WHEREAS, present federal law does not require payment in lieu of taxes on lands acquired by the Bureau of Reclamation for canals, drains, reservoirs, and related facilities, or lands acquired for recreation areas associated with the Garrison Diversion Unit; and

WHEREAS, the loss of real estate tax revenue from lands acquired by the United States creates a financial burden on counties, townships, school districts, and other tax-supported entities located within the Garrison Diversion Unit;

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

That the Forty-fourth Legislative Assembly of the State of North Dakota does fully recognize the tax loss incurred by counties, townships, school districts, and other tax-supported entities by virtue of right-of-way acquisition by the United States Government for the Garrison Diversion Unit; and

BE IT FURTHER RESOLVED, that the 94th Congress be and is hereby most respectfully urged to take early action to enact legislation authorizing and directing that payment in lieu of taxes be made to counties in which lands are acquired by the United States for all purposes of the Garrison Diversion Unit in at least

an amount equal to the taxes which would have been assessed on the land taken, and which in lieu payments shall be distributed to the various taxing districts as such ad valorem taxes would have been distributed; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted by the Secretary of State to the members of the North Dakota Congressional Delegation, the Chairmen of the Senate and House Committees on Interior and Insular Affairs, the Secretary of the Interior, and the Commissioner, Bureau of Reclamation.

Filed March 31, 1975

HOUSE CONCURRENT RESOLUTION NO. 3037  
(Strinden, Backes)

## EMPLOYMENT COMMITTEE COMPENSATION

A concurrent resolution authorizing payment of members of the employment committees of the House and Senate for services rendered after the Legislative Organizational Session, and prior to the convening of the Regular Session on January 7, 1975.

WHEREAS, the members of the employment committees of the House of Representatives and the Senate, in order to perform their important duties, were required to meet and confer in Bismarck during the period between the recess of the Organizational Session on Thursday, December 5, 1974, and the convening of the Regular Session on Tuesday, January 7, 1975; and

WHEREAS, such additional service in aid of the legislative process should not go uncompensated;

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

That the members of the employment committees of the Senate and House of Representatives shall be paid, on vouchers submitted by them, for services rendered between December 5, 1974, and January 7, 1975, at the same per diem rate as is presently provided by law for service on interim committees of the Legislative Council (Section 54-35-10, Subsection 1). Payment shall be made from the legislative appropriation for the Organizational Session.

Filed February 11, 1975

HOUSE CONCURRENT RESOLUTION NO. 3038  
(Hildebrand, Mertens)

## EDUCATIONAL COMPUTER SYSTEM STUDY

A concurrent resolution directing the Legislative Council to study the feasibility, financing, cost, and problems of establishing a statewide educational computer system for use by all North Dakota public high schools.

WHEREAS, North Dakota public high school students and instructors must have access to the latest instructional techniques in order to keep abreast of the trends and needs in our society; and

WHEREAS, utilization of computers in education, particularly in the field of mathematics, is fast gaining favor in educational circles; and

WHEREAS, computer mathematics programs have been initiated on a trial basis in several North Dakota cities; and

WHEREAS, a statewide educational computer system is successfully under way in our neighboring state of Minnesota;

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

That the Legislative Council is hereby authorized and directed to conduct, with the aid and assistance of the State Department of Public Instruction, a comprehensive study of the feasibility of establishing a statewide computer system for use by all North Dakota public high schools, with options as to networks which might serve a unified school district--institution of higher education system, a separate system for school districts, regional systems centered around the larger population centers, or development of a system in conjunction with the State Communications System or the State ETV System; the financing and cost of such systems, and problems that would be encountered in implementing such systems; and

BE IT FURTHER RESOLVED, that the Legislative Council make its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3039  
(Jaeger)

## URGING ACTION TO RELEASE MIA'S

A concurrent resolution urging immediate action to bring about the release and return of our missing servicemen in Southeast Asia.

WHEREAS, the complete support of American citizens in foreign lands by the Government of these United States, whether in war or in peace, is an inherent part of the rights of an American citizen; and

WHEREAS, servicemen, listed as missing in action, have been reliably reported as alive in Southeast Asia and in prison compounds and slave labor camps in Siberia; and

WHEREAS, these servicemen have an inalienable right to the complete and undivided efforts of our Government to guarantee and bring about their immediate return to our Nation; and

WHEREAS, the parents, wives, children, and loved ones of these men have a right to expect positive action by our Federal Government in bringing these men home immediately;

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

That the Forty-fourth Legislative Assembly strongly urge the Federal Government to take immediate action in bringing about the release of these servicemen; and

BE IT FURTHER RESOLVED, that the North Dakota Congressional Delegation be strongly urged to use every effort to impress upon their legislative colleagues and the executive branch the need for immediate action in freeing these American servicemen from their foreign oppressors; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of these United States, the Secretary of State, the Secretary of Defense, and the North Dakota Congressional Delegation.

Filed March 24, 1975

HOUSE CONCURRENT RESOLUTION NO. 3040  
(E. Metzger, Bunker, Orange, Halmrast)

## WORKMEN'S COMPENSATION STUDY URGED OF DEDICATING RESERVE FUND INCOME

A concurrent resolution directing the North Dakota workmen's compensation bureau to study the feasibility of dedicating the income from reserve funds for the purpose of increasing weekly benefit amounts for workmen's compensation claimants who receive outdated benefits.

WHEREAS, from the inception of the workmen's compensation program in 1919, the North Dakota Legislative Assembly has periodically increased the amount of weekly benefits paid to the victims of industrial accidents; and

WHEREAS, when the Legislative Assembly periodically improves workmen's compensation benefit levels, claimants to workmen's compensation injured prior to the date of the improvement in benefits do not receive any improved benefits; and

WHEREAS, there are claimants to workmen's compensation benefits established by benefit levels going back to the early 1920's which are clearly inadequate by today's standards; and

WHEREAS, section 65-04-01 of the North Dakota Century Code provides that the Workmen's Compensation Bureau is to classify employments with respect to degrees of hazard, determine the risks of the different employment classifications, and fix the rate of premium for each employment classification sufficiently high to provide for the payment of administrative expenses of the bureau, payment of compensation according to the provisions of the Workmen's Compensation Act, and maintenance of adequate reserves and surplus to keep the workmen's compensation fund at all times in an entirely solvent condition; and

WHEREAS, pursuant to Chapter 65-04 of the North Dakota Century Code, a reserve is established to protect every claimant's right to workmen's compensation benefits for future years and to keep the workmen's compensation fund in an entirely solvent condition; and

WHEREAS, the Workmen's Compensation Bureau has used the income derived from the investment of the reserve maintained within the fund for the purpose of reducing premiums paid by current employers; and

WHEREAS, in 1972 the National Commission on State Workmen's Compensation Laws issued a report on the condition of state workmen's compensation programs which included a recommendation that benefit levels be updated for claimants who are receiving workmen's compensation based on outdated and therefore inadequate benefit levels; and

WHEREAS, while the 1973-75 Legislative Council study of the workmen's compensation program resulted in recommendations for improved benefit levels, the study did not review methods to improve workmen's compensation benefits of claimants injured in previous years;

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

That the Workmen's Compensation Bureau is directed to study the feasibility of dedicating the income derived from the investment of reserve funds established in past years for the purpose of updating weekly benefits paid to claimants injured in previous years so that those claimants will receive benefits commensurate with current standards; and

BE IT FURTHER RESOLVED, that the study shall include an examination of the various methods to dedicate the income from the fund and all costs resulting from such dedication; and

BE IT FURTHER RESOLVED, that the Workmen's Compensation Bureau shall include the results of this study in its next biennial report to the Governor and the Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the Governor and each Commissioner of the Workmen's Compensation Bureau.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3041  
(Gackle)LAND BOARD URGED TO SELL TO  
PRIVATE CITIZENS

A concurrent resolution urging the Board of University and School Lands to sell state school lands to private citizens whenever possible.

WHEREAS, state law now provides that lands held by the Board of University and School Lands may be condemned for various public purposes and sold to other governmental agencies after notice and public hearing but without competitive bidding; and

WHEREAS, the sale of state school lands to governmental units keeps such property off local tax rolls, while sale of such land to private parties will increase the local property tax base; and

WHEREAS, private citizens are often anxious to purchase such lands; and

WHEREAS, the sale of such lands to private parties will usually result in increased agricultural production, and competitive bidding will often result in additional revenue for the state school fund;

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

That the Board of University and School Lands is hereby urged to make lands available for competitive bidding by private citizens whenever possible rather than selling such lands to other governmental units; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the members of the Board of University and School Lands.

Filed March 24, 1975

HOUSE CONCURRENT RESOLUTION NO. 3042  
(Meiers)

CONGRESS URGED TO FUND SCHOOL  
LUNCH PROGRAM

A concurrent resolution urging Congress to provide full funding for the school lunch program.

WHEREAS, a nutritious noon meal is vital to the mental and physical development of the growing youth of America; and

WHEREAS, for many children, the school lunch program provides their only balanced meal of the day; and

WHEREAS, the present school lunch program depends upon state or local matching of federal funds; and

WHEREAS, not all school districts in the country now have or can afford the school lunch program as it is presently funded; and

WHEREAS, if Congress provided full funding, the school lunch program would be available to all children, regardless of race, color, creed, or ability to pay;

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

That the Forty-fourth Legislative Assembly strongly urges Congress to require all elementary and secondary schools receiving federal funds of any kind to enter the school lunch program; and

BE IT FURTHER RESOLVED, that Congress provide full funding for the school lunch program so that all children of America may receive a nutritious noon meal; 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 March 31, 1975

HOUSE CONCURRENT RESOLUTION NO. 3043  
(Weber)

## STUDY OF FERTILIZER PLANT FEASIBILITY

A concurrent resolution authorizing and directing the Legislative Council to conduct a study to determine the economic feasibility of a privately owned fertilizer manufacturing plant.

WHEREAS, the world's food supply is growing dangerously low and millions may be starving to death; and

WHEREAS, the United States is and must continue to be the major supplier of food for the foreseeable future; and

WHEREAS, North Dakota is a major producer of food for export; and

WHEREAS, the agricultural system of North Dakota and of the United States and the food producing capacity of the world depends on fertilizers for maximum production; and

WHEREAS, fertilizer is in extremely short supply, causing a tripling of the price per ton of fertilizer in only a year; and

WHEREAS, this high price and short supply endangers both North Dakota's agricultural prosperity and the farmer's livelihood as well as the food and fiber necessary in the world; and

WHEREAS, the raw material for fertilizers are abundant in North Dakota in the form of lignite coal, potassium salts, and animal wastes; and

WHEREAS, lignite coal can be converted into valuable fertilizers including anhydrous ammonia, nitrogen sulphate, and with the addition of carbon dioxide, urea; and

WHEREAS, potassium salts abundant in the northwestern quarter of North Dakota are the only known source of potash fertilizers; and

WHEREAS, animal wastes contain significant percentages of nitrogen, phosphorous, and potassium, all valuable fertilizers;

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

That the Legislative Council is hereby authorized and directed to conduct a study to determine the economic feasibility of a privately owned fertilizer manufacturing plant which would utilize lignite or other raw materials abundant in this state.

HOUSE CONCURRENT RESOLUTION NO. 3044  
(Gackle)

CONGRESS URGED TO PERMIT TAXATION  
OF FEDERAL LANDS

A concurrent resolution urging Congress to enact legislation which would provide for taxation of certain federal properties within the states at the same rate which such lands would be taxed if those lands were owned by private citizens.

WHEREAS, large amounts of federal funds have been appropriated to lease and purchase wetlands under the United States Department of the Interior-Bureau of Sport Fisheries and Wildlife's acquisition program; and

WHEREAS, large amounts of state lands, both private and governmental, have been acquired with such funds under such programs; and

WHEREAS, acquisition of such state lands by the Federal Government removes such lands from the local tax rolls resulting in smaller annual payments to the counties for local governmental costs; and

WHEREAS, the local governments are in need of funds to administer schools and other programs and are very concerned about the revenue which is being lost by the removal of such state lands from the local tax rolls;

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

That the Forty-fourth Legislative Assembly urge the Congress of the United States to enact legislation that would provide for taxation of federal wetlands within the states at the same rate at which such lands would be taxed if those lands were owned by private citizens; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Interior and to each member of the North Dakota Congressional Delegation.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3046  
(Rau)POSTAL SERVICE URGED TO GIVE  
DRIVEWAY SERVICE

A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

WHEREAS, the United States Postal Service, under its authority to issue instructions on rural route extensions, does not deliver mail to rural postal patrons whose mail boxes are more than five-tenths of a mile off of a regular rural postal route; and

WHEREAS, the United States Postal Service prescribes that in cases where a patron is further than this distance from a regular rural mail route, it will leave the patron's mail at the point along its regular route closest to the patron; and

WHEREAS, this policy results in many rural patrons having their mail delivered to boxes at the end of their driveways, while other rural patrons must drive several miles daily to pick up their mail; and

WHEREAS, this is a distinct hardship on those patrons who must drive a great distance to pick up their mail, particularly in the winter or in inclement weather; and

WHEREAS, during a time when the need to conserve fuel is at its greatest, this policy causes additional miles to be driven;

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

That the Forty-fourth Legislative Assembly urge the United States Postal Service to change its instructions for rural route extensions so that all rural route mail patrons shall receive mail in boxes at the end of their driveways, regardless of their distance from a regular rural mail route; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Chairman of the Board of Governors of the United States Postal Service, the Postmaster General, and to the North Dakota Congressional Delegation.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3050  
(Bye, Halmrast, Orange)

CONGRESS URGED TO STUDY LABELING  
OF HAZARDOUS CHEMICALS

A concurrent resolution requesting the Congress of the United States of America to study the necessity for and to enact legislation and regulations required for the proper labeling of hazardous industrial chemicals and other substances.

WHEREAS, approximately five thousand new chemicals and other potentially dangerous substances are introduced on the United States market each year, many of them without adequate testing with respect to their potential hazard to human health; and

WHEREAS, each year thousands of injuries are suffered by persons employed in industry due to inadequacy of the notice provided by the manufacturers of such substances with respect to the potential danger to health from contact with, ingestion of, or inhalation of, the fumes of such substances; and

WHEREAS, labels on such substances too frequently fail to provide emergency treatment information which, if provided, would either avoid or reduce the severity of such injuries;

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

That the Forty-fourth Legislative Assembly urges the Congress of the United States to initiate studies with respect to the potential hazards to human health presented by inadequately labeled industrial chemicals and other substances, and develop such legislation or other regulation as may be necessary to prevent further serious injury to the industrial workers of America; and

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

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3051  
(Erickson, Scofield)

## RECIPROCAL TUITION AGREEMENTS URGED

A concurrent resolution urging the State Board of Higher Education to enter reciprocal tuition agreements with the States of South Dakota and Montana.

WHEREAS, the State Board of Higher Education has the authority to enter into agreements with other states for the reciprocal exchange of students; and

WHEREAS, the State Board of Higher Education is currently negotiating a reciprocal agreement with the State of Minnesota, which it is anticipated will be of substantial benefit to students of both states; and

WHEREAS, there are many students along both sides of the borders of the States of South Dakota and Montana who would benefit from reciprocal agreements with those states; and

WHEREAS, there are programs available to North Dakota students in South Dakota and Montana institutions which are not available in this State; and

WHEREAS, the taxpayers of North Dakota would benefit from reciprocal agreements because the institutions of higher education in this State can be more efficiently operated with more students; and

WHEREAS, all of the states involved in reciprocal agreements benefit in the avoidance of duplicate offerings made possible through regional planning;

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

That the Forty-fourth Legislative Assembly urges the State Board of Higher Education to enter into appropriate reciprocal tuition agreements with the appropriate institutions in the States of South Dakota and Montana; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the members of the State Board of Higher Education.

Filed March 18, 1975

HOUSE CONCURRENT RESOLUTION NO. 3053  
(Committee on Delayed Bills)  
(Lundene)

## URGING INCREASED SPEED LIMIT

A concurrent resolution urging Congress to raise the national speed limit to 65 miles per hour.

WHEREAS, Congress has imposed a highway speed limit of 55 miles per hour in all states receiving federal highway aid funds, including North Dakota; and

WHEREAS, there is evidence that the 55-mile-per-hour speed limit reduces the efficiency of engines used in long-haul trucking; and

WHEREAS, there is conflicting evidence concerning the amounts of fuel actually being saved by the 55-mile-per-hour speed limit; and

WHEREAS, a somewhat higher speed limit would allow a reasonably satisfying rate of travel and still result in material savings of fuel; and

WHEREAS, the 55-mile-per-hour speed limit has been difficult to enforce;

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

That the Forty-fourth Legislative Assembly urges the United States Congress to amend the Emergency Highway Energy Conservation Act to provide for a speed limit of 65 miles per hour; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Department of Transportation, the chairmen of the Senate and House Committees on Public Works, and to the members of the North Dakota Congressional Delegation.

Filed March 12, 1975

HOUSE CONCURRENT RESOLUTION NO. 3057  
(Knudson)

## CONTINUING EDUCATIONAL FINANCE STUDY

A concurrent resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools, and of the effectiveness of such financing in reaching the goal of providing the best possible education for North Dakota's students, and of teacher compensation and negotiation practices throughout the state.

WHEREAS, North Dakota has had a State Foundation Aid Program for elementary and secondary schools since 1959; and

WHEREAS, the Foundation Program was expanded and strengthened in the 1973 and 1975 Legislative Session; and

WHEREAS, the effects of inflation and the shifting of enrollments have focused attention on the need for the Legislative Assembly to maintain a continuing study of the financing of elementary and secondary education; and

WHEREAS, changing times have resulted in changes in educational programs and curriculums; and

WHEREAS, there is a need to set some limit to the programs funded from the general fund in order to assure that there will not be endless expansion of such funding; and

WHEREAS, there is a need to review the statutes and practices concerning the charging for student fees and textbooks in order to ascertain whether changes are needed to provide assurance that the State is providing free public schools within the mandates of the State Constitution; and

WHEREAS, current negotiation and salary practices have not put North Dakota in a competitive position with other states or with private industry in the effort to attract the most talented and dedicated teachers;

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

That the Legislative Council, with the assistance of the Superintendent of Public Instruction, is hereby directed to study the entire field of the financing of elementary and secondary schools in North Dakota, including a review of the statutes and practices related to the charging for student fees and textbooks by the public schools in this State, an investigation of the effectiveness of the foundation aid program in achieving the goal of top quality education for North Dakota's students, such investigation to include a grade by grade measure of the academic ability of students in our public school system, and a complete review of current salary and negotiation practices; and

BE IT FURTHER RESOLVED, that this study include consideration of limiting state funding to a basic curriculum, such curriculum to be determined pursuant to chapter 15-38 and section 15-41-24, the rules and regulations of the department of public instruction, and the recommendations of the legislature as developed through this study; and

BE IT FURTHER RESOLVED, that the Legislative Council make its report and recommendations to the Forty-fifth Legislative Assembly, together with any legislation required to carry out such recommendations.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3058  
(Strinden)

## STUDY OF OFFICE SPACE NEEDS

A concurrent resolution directing the Legislative Council to conduct a study of the needs for additional office space of state agencies located in the Bismarck area.

WHEREAS, the Legislative Assembly has been requested to appropriate funds for the increased staffing for some governmental agencies and departments largely because of energy developments and for the construction of a new State Office Building to meet long-standing building needs; and

WHEREAS, some agencies and departments have long since outgrown their existing quarters; and

WHEREAS, because of limited space in the Capitol Building and State Office Building, many agencies and offices have been forced to rent quarters at substantial expense to the State in other buildings within the city of Bismarck; and

WHEREAS, it is always desirable for the legislative branch of state government to be aware of any changes in the physical space needs and requirements of state agencies;

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

That the Legislative Council be directed to conduct a study of the needs of those branches of government and governmental departments and agencies having offices and quarters in the Bismarck area for additional physical space; and

BE IT FURTHER RESOLVED, that the study shall consider all reasonable alternatives and solutions to any changes in the requirements for physical space of governmental branches, agencies, departments, boards, and commissions, including construction of new buildings, leasing, renovation or destruction of existing buildings, and the transfer of any such governmental unit to other quarters; and

BE IT FURTHER RESOLVED, that all governmental agencies, departments, boards, and commissions are hereby directed to assist and cooperate with the Legislative Council in such manner as the Council may from time to time request; and

BE IT FURTHER RESOLVED, that the Legislative Council make its findings and recommendations, together with any appropriate legislation necessary to implement such recommendations, to the Forty-fifth Legislative Assembly.

HOUSE CONCURRENT RESOLUTION NO. 3059  
(Kretschmar, Knudson, Nicholas)

## CONSTITUTIONAL REVISION STUDY

A concurrent resolution directing the Legislative Council, with the assistance of citizen advisors, to study the Constitution of the State of North Dakota, and to make recommendations regarding desirable revision of that Constitution.

WHEREAS, the basic Constitution of the State of North Dakota was adopted in the year 1889, and, in spite of numerous amendments since that time, remains mainly unchanged; and

WHEREAS, the present Constitution is quite lengthy and detailed when compared with more recently adopted constitutions or with the United States Constitution; and

WHEREAS, the 1972 Constitutional Convention put forward some thought-provoking concepts in its proposed Constitution, and some of those concepts deserve further in-depth consideration; and

WHEREAS, constitutions, while not designed to have the flexibility of laws, should be examined periodically with a view toward their adequacy, in whole or in part, in light of changing conditions;

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

That the Legislative Council is hereby directed to conduct a study for the purpose of proposing revision of all or appropriate parts of the Constitution of the State of North Dakota. The council shall call upon citizens of the State who have distinguished themselves by service in, and knowledge of, fields of endeavor especially qualifying them to assist in the study. The council shall submit its recommendations on the revision of the Constitution, or such portions as shall have been completed, to the Forty-fifth Legislative Assembly, together with the drafts of proposed revisions necessary to carry out its recommendations.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3067  
(Marsden, Fleming)STUDY OF BANKING AND  
FINANCIAL INSTITUTIONS DEPARTMENT

A concurrent resolution directing a Legislative Council interim study of the Department of Banking and Financial Institutions as well as North Dakota banking laws.

WHEREAS, the Federal Deposit Insurance Corporation requires reports of all banks which are insured under the provisions of the Federal Deposit Insurance Corporation Act, as found in Section 1811 et. seq. of Volume 12 of the United States Code, and regular examinations of the same; and

WHEREAS, the Department of Banking and Financial Institutions of the State of North Dakota, acting through the State Examiner, may accept, in lieu of any report or examination authorized or required by Title 6 of the North Dakota Century Code, a report made to or an examination made by the Federal Deposit Insurance Corporation; and

WHEREAS, the reports made to and examinations conducted by the Department of Banking and Financial Institutions appear to be a duplication of the reports required by and the examinations made by the Federal Deposit Insurance Corporation;

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

That the Legislative Council is hereby directed and authorized to conduct an interim study, with the aid and cooperation of the Department of Banking and Financial Institutions, of the powers, duties, functions, and operations of the Department of Banking and Financial Institutions as well as North Dakota banking laws; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any proposed legislation required to carry out such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3070  
(Strinden)

## STUDY OF CENTRAL PERSONNEL SYSTEM

A concurrent resolution directing the Legislative Council to study and monitor the state central personnel classification system.

WHEREAS, state employees' salaries have been adjusted to reflect salaries based upon a personnel classification system; and

WHEREAS, one of the primary purposes of a personnel classification system is to encourage sound administrative payroll and budgetary procedures; and

WHEREAS, it is desirable that a full evaluation be made of the effectiveness of any personnel classification system that may be established;

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

That the Legislative Council is hereby directed and authorized to study and monitor such personnel classification system as may be established by the Legislative Assembly. The agency authorized to administer such a classification system shall make such reports to and provide such assistance as may be requested by the Legislative Council during its study of the operation of the personnel classification system; and

BE IT FURTHER RESOLVED, that the Legislative Council submit its report and recommendations, together with the legislation required to implement such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3071  
(Glassheim)

## STUDY OF ALTERNATIVES TO PROPERTY TAXES

A concurrent resolution directing the Legislative Council to study alternatives to the current method of property taxation as the major source of income for local political subdivisions.

WHEREAS, there is a continuing need for increased revenues to support the political subdivisions of this State; and

WHEREAS, local political subdivisions are primarily dependent upon real property taxes to support local services; and

WHEREAS, real property taxes have proved insufficient to support such services as education and certain other functions of local government; and

WHEREAS, in inflationary times, the potential market value of real property bears no direct relationship to either productive value or ability to pay; and

WHEREAS, property taxes seem to be the most difficult to assess equitably and the most burdensome for taxpayers to pay;

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

That the Legislative Council is hereby authorized and directed to conduct a study of the feasibility of alternative methods of taxation or assessment, as a means of ensuring both equitable taxation and fiscally sound local political subdivisions. The study shall include but shall not be limited to such alternatives as taxing only the sale of property, state and local revenue sharing, and local sales or income taxes; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any legislation necessary to implement those recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3073  
(Rylance, Strinden)

## HIGHER EDUCATION STUDY

A concurrent resolution directing the Legislative Council, with the assistance of the North Dakota Board of Higher Education and such experts and resources as it may consult, to study the powers and duties of the board, the development of each institution of higher education in the state, and unnecessary duplication of courses and programs within and between such institutions. The breadth and scope of such study will include consideration of the feasibility and desirability of the merger of junior colleges into the state system and the consolidation of all post-secondary educational institutions into the state's system for post-secondary education. It will include a study to determine the best method of financing additional college buildings and other capital improvements on a priority basis.

WHEREAS, the Legislative Assembly of the State of North Dakota recognizes there is a need for efficient utilization of space and faculty resources of institutions of higher education in order to offer the best education to students of the State; and

WHEREAS, appropriations for higher education accrue to the benefit of those who attend colleges or universities, efforts must be made to desist from unjustified duplication of programs to assure that a share of the educational dollar is made available for the education and training of youth of the state in all post-secondary fields; and

WHEREAS, the educational and training efforts of all post-secondary education institutions must be coordinated and correlated to promote efficient cooperation among institutions and should include exchange of faculty and students; and

WHEREAS, the Constitution of the State of North Dakota provides for eight institutions of higher education to be located in certain cities; and

WHEREAS, taxpayers of North Dakota also provide substantial support to three community junior colleges and state support for these junior colleges has increased in each legislative session since the start of such support; and

WHEREAS, there is a need to study a possible merger of the junior colleges into the state system and the possible consolidation of all state institutions of higher education into a comprehensive post-secondary education system; and

WHEREAS, enrollment at institutions of higher education has stabilized and such institutions have requested additional facilities; and

WHEREAS, a long-term study for projected space needs has not been presented to the legislative assembly reflecting comprehensive post-secondary education system; and

WHEREAS, there may be alternative sources of revenue for finance of additional facilities;

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

That the Legislative Council, with the assistance of the Board of Higher Education and such experts and resource persons as it may consult, is directed to conduct a study of the powers and duties of the board and the exercise thereof; of the development and improvement of each institution of higher education; of the overlap and duplication of courses and programs; of standards for evaluation of qualification of instructors' teaching loads and hours; and

BE IT FURTHER RESOLVED, that the same group study the feasibility and desirability of the merger of community junior colleges into the state system and the consolidation of all post-secondary education into the University System; and

BE IT FURTHER RESOLVED, that this study shall include an examination of the need for additional buildings and other capital improvements on the campuses of the state's colleges and universities, the priority of such needs, and the manner in which they should be financed; and

BE IT FURTHER RESOLVED, that the Legislative Council submit its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3075  
(Mushik, Eagles)

## STUDY OF JUVENILE JUSTICE SYSTEM

A concurrent resolution directing the legislative council to study the functions, responsibilities, and structures of the juvenile justice system, including the incidence and type of delinquent activity, the courts, detention, and correction practices.

WHEREAS, there is a growing concern with the incidence of juvenile delinquency, unruliness, and deprivation within the state; and

WHEREAS, there are special problems concerning delinquency in the rural areas of the state; and

WHEREAS, there is a need to identify the problems of juveniles that enter the juvenile justice system; and

WHEREAS, there is a need for uniform data collection and analysis in order to ensure effective planning among the various agencies involved in the juvenile justice system; and

WHEREAS, there is a need to establish consistent policies and procedures for police and courts in the handling of juvenile cases; and

WHEREAS, there is a lack of coordination among the components of the juvenile justice administration; and

WHEREAS, there is a lack of uniformity in screening, investigation, disposition, and detention of juvenile referrals; and

WHEREAS, there is a lack of manpower available to the courts in the juvenile area; and

WHEREAS, there is a lack of uniform standards for all juvenile justice system personnel; and

WHEREAS, there is a need to develop viable alternatives to the juvenile justice system;

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

That the legislative council be directed to conduct a study of the functions, responsibilities, and structures of the juvenile justice system, including the incidence and type of delinquent activity, the courts, detention, and correction practices. The council may request such reasonable assistance from the judicial council, the social services board, the state youth authority, the director of institutions, the law enforcement council, and the juvenile justice task force of the North Dakota criminal justice commission, as it may deem necessary. The council shall report its findings and recommendations, accompanied by any necessary legislation, to the Forty-fifth legislative assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3078  
(Tinjum)

STUDY OF VALUATION AND  
ASSESSMENT OF PROPERTY

A concurrent resolution directing the legislative council to study the methods of valuation and level of assessments of all classes of property assessed by the state board of equalization and by the local assessors.

WHEREAS, the increases in market values of all taxable property during the past eighteen months have increased substantially; and

WHEREAS, under present law the assessors will be required to follow market value trends and increase assessments substantially; and

WHEREAS, this action will cause unusually large increases in taxes for owners of property assessed by local assessors and the state board of equalization;

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

That the legislative council is hereby directed to study the methods of valuation and the levels of assessment and the laws relating thereto for all classes of taxable property assessed by the state board of equalization and the local assessors. The council shall call upon citizens of the State who have distinguished themselves by service in, or by having special knowledge of, the field of assessment and property valuation, which experience and knowledge would especially qualify them to assist in the study.

BE IT FURTHER RESOLVED, that the legislative council make its reports and recommendations, together with any legislation necessary to carry out such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3079  
(Clancy, Gunderson, Gustafson)

## AGRICULTURAL REORGANIZATION STUDY

A concurrent resolution directing the Legislative Council to conduct a comprehensive study of the agriculturally related functions of North Dakota State Government and the feasibility of reorganizing such functions into one coordinated and efficient agency.

WHEREAS, the agriculturally related functions of North Dakota State Government are fragmented into many departments, commissions, councils, and boards; and

WHEREAS, such fragmentation tends to cause duplication of effort and added expense; and

WHEREAS, there is a need to provide for more coordination and greater efficiency in this extremely important function of State Government; and

WHEREAS, State Government needs to be more responsive to agricultural producers and North Dakota citizens in general; and

WHEREAS, the last comprehensive study of the agriculturally related functions of State Government was conducted fifteen years ago;

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

That the Legislative Council is hereby authorized and directed to conduct a comprehensive study of the agriculturally related functions of North Dakota State Government and the feasibility of reorganizing such functions into one coordinated and efficient agency, and to make its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3081  
(Raymond)

## STUDY OF SCHOOL TRANSPORTATION AID

A concurrent resolution directing the Legislative Council to study the present method of determining transportation aid payments for school districts and the feasibility of developing an alternative method of payment.

WHEREAS, North Dakota has a State Foundation Aid Program which reimburses school districts for the costs of school bus transportation; and

WHEREAS, the Nation is in a serious energy crisis which requires that consideration be given to finding the most efficient methods of consuming energy; and

WHEREAS, the present transportation aid formula used in North Dakota envisions a circuitous route of travel by school buses for pupil collection; and

WHEREAS, under the current method of pupil collection, buses leave from a given area close to a school, travel in a circuitous route, and eventually arrive back at the school to deliver pupils; and

WHEREAS, in some school districts in the State, a circuitous route of travel is not feasible, and an uneconomical and energy-wasteful situation results in which school districts are encouraged to run their buses empty half the time in order to maximize state aid payments;

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

That the Legislative Council is hereby directed to conduct a study of the feasibility of developing alternative methods of providing transportation aid payments to school districts, and to consider alternative formulas to provide equity between densely and sparsely populated school districts; and

BE IT FURTHER RESOLVED, that the Legislative Council make its report and recommendations to the Forty-fifth Legislative Assembly, together with any legislation required to carry out such recommendations.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3085  
(Atkinson, Hausauer, Martinson, Metzger, Wagner)

## COMMENDING MARY COLLEGE LEGISLATIVE GUIDES PROGRAM

A concurrent resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

WHEREAS, Mary College, for the third consecutive legislative session, conducted tours of the legislative chambers during the month of January as a Legislative Seminar Project during its interim; and

WHEREAS, the thirteen Mary College students who participated in this year's project, under the direction of Professor Neal Kalberer, were Kathy Atkinson, Dalonna Burns, Karen Deckert, Carl Edgerley, Annette Funk, Gary Goldade, Diane Kostelecky, Victoria Mayer, Cindy Mock, Holly Monek, Claudine Schmidt, Joan Schwab, Yvonne Swindler; and

WHEREAS, the Mary College guides helped make the legislative processes more understandable to hundreds of young people by serving them as guides during January; and

WHEREAS, these guides at all times conducted themselves very professionally, and were a credit to themselves as well as to their college and their State; and

WHEREAS, the North Dakota Legislative Assembly is very cognizant of the educational and informative role these guides play in informing North Dakotans about the Legislature; and

WHEREAS, the Legislative Seminar Project is equally educational and beneficial to its participants as part of their college education, and should be continued;

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

That the Forty-fourth Legislative Assembly commend Mary College and the Mary College students who participated in the Legislative Seminar Project for the excellent service provided the Forty-fourth Legislative Assembly by serving as guides during January; and

BE IT FURTHER RESOLVED, that Mary College be urged to continue the program for future legislative sessions; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to Dr. Harold Miller, President, Mary College, and Professor Neal Kalberer, Mary College.

HOUSE CONCURRENT RESOLUTION NO. 3086  
(Laughlin, Fleming, Vander Vorst)

## STUDY OF RURAL WATER SYSTEM FINANCING

A concurrent resolution directing the Legislative Council, with the assistance of other appropriate agencies, to study financing alternatives for constructing rural water systems.

WHEREAS, many areas and localities in rural North Dakota do not enjoy safe drinking water, and in certain areas and localities in North Dakota such water contains iron, sulfates, alkali, salt, nitrates, and other hazardous and discoloring substances; and

WHEREAS, many rural residents of North Dakota must haul water for long distances because such residents do not have a safe, dependable water supply system; and

WHEREAS, there are presently twenty-two cooperatively organized and owned rural water associations in North Dakota which are in various stages of development, and only four of the rural water supply systems are presently operational; and

WHEREAS, such rural water supply systems are capable of bringing safe and dependable sources of water to farmsteads which have not previously enjoyed high quality, safe water in adequate supply; and

WHEREAS, rural water supply systems which are being organized and built in North Dakota face many of the same problems that rural electric cooperatives, which brought electricity to sparsely settled rural areas, faced thirty years ago in regard to financing and availability of materials; and

WHEREAS, developers of rural water supply systems are hindered by a scarcity of materials and skyrocketing prices because the energy crisis has drastically curtailed the availability of petrochemicals which are required to manufacture essential elements of rural water supply systems; and

WHEREAS, although the Farmers Home Administration approves loans for rural water supply systems for forty years at five percent interest, such loans do not provide adequate funds to construct a rural water supply system within the limits of economic feasibility to the consumer, and alternative methods of financing rural water supply systems have not been examined;

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

That the Legislative Council is hereby authorized and directed to conduct a interim study of alternative methods of providing supplemental financing to rural water supply systems; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct such study with the cooperation and assistance of other appropriate agencies, and that the Council shall make its report and recommendations, accompanied by any legislation necessary to implement such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3088  
(Kelly, Cann)

## STUDY OF P.S.C. RATE AUTHORITY

A concurrent resolution directing the Legislative Council to conduct a study of the Public Service Commission's authority to establish rates.

WHEREAS, it is the duty and function of the Public Service Commission to establish rate structures for the regulated public utilities in North Dakota; and

WHEREAS, equitable rate schedules should recognize that utility services represent a basic human need; and

WHEREAS, equitable rate schedules should also provide incentives to conserve the use of vital natural resources;

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

That the Legislative Council is authorized and directed to conduct a study of the powers of the Public Service Commission to establish rates, and that such study should be conducted in recognition of the fact that utility services represent a basic human need and that incentives to conserve vital resources and reduce demand are desirable goals for the State of North Dakota; and

BE IT FURTHER RESOLVED, that all departments, agencies, and commissions shall furnish the Council with such information as it shall, in carrying out the provisions of this resolution, reasonably require, and that the Legislative Council shall make its report and recommendations, together with any legislation necessary to implement such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3090  
(Committee on Industry, Business, and Labor)  
(Committee on Delayed Bills)

## URGING CONGRESS TO AMEND O.S.H.A.

A concurrent resolution urging Congress to amend the National Occupational Safety and Health Act.

WHEREAS, the National Occupational Safety and Health Act was enacted by Congress to ensure the health and safety of employees in their work; and

WHEREAS, the Act was not enacted to catch the employer off guard or to punish him for unintentional oversights; and

WHEREAS, as now administered, the National Occupational Safety and Health Act works an undue and unreasonable hardship on employers by allowing an administrative fine to be levied for infractions found on the first inspection;

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

That the U. S. Congress be urged to amend the National Occupational Safety and Health Act to provide that no administrative fine can be levied on the first field inspection of working conditions; and

BE IT FURTHER RESOLVED, that the Act be amended to allow a fifteen-day grace period to correct any infractions found on subsequent inspections before a fine can be levied against the employer; and

BE IT FURTHER RESOLVED, that the members of the North Dakota Congressional Delegation are respectfully urged to sponsor such legislation and attempt to have such legislation passed by Congress; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to each of the members of the North Dakota Congressional Delegation.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3091  
(Committee on Delayed Bills)

## STUDY OF LEVEL OF GOVERNMENTAL SERVICES

A concurrent resolution directing the Legislative Council to conduct a study of the level of governmental services and programs that are essential to North Dakota and which are supported by the State on an ongoing basis.

WHEREAS, the increasingly complex society and economy of the State of North Dakota has over the years resulted in requests and on occasion demands from citizens in general and at times special groups of citizens that the State through state government and its political subdivisions provide additional services or increased levels of services that they deem necessary or desirable for the well-being of the State and its citizens; and

WHEREAS, the level of services desired by citizens or groups of citizens, together with the inflationary problems of our economy, have increased the cost of providing such services to the extent that the reoccurring program costs of state government during the biennium beginning on July 1, 1977, appear to exceed the revenue that will be available to the State; and

WHEREAS, recent reports indicate that many states are faced with this problem, some of which are being forced to consider abrupt, radical, or unplanned reductions in programs and services while others have attempted to provide temporary solutions through arbitrary austerity programs; and

WHEREAS, it is in the best interests of the State and all its citizens that the Legislative Assembly make reasonable and alternative plans for meeting such fiscal problems should they occur through a sound and thorough study and review of the type, size, and character of the programs and services provided by the State, or supported by the State through state revenues provided to political subdivisions, in order that any necessary reductions in programs or levels of services may occur on a rational basis not unduly impairing the critical and essential services that are required by the citizens of the State;

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

That the Legislative Council is hereby directed to conduct a thorough study and review of the type, size, and character of all governmental programs and services provided by the State or supported in whole or in part by state revenues or funds, and fully evaluate the budgetary requirements for the support of such programs and services for the purpose of making recommendations to the Forty-fifth Legislative Assembly in regard to the elimination of or reductions in programs or services provided by or supported through state governmental revenues in the event such eliminations or reductions are determined to be necessary; and

BE IT FURTHER RESOLVED, that such facts, information, and recommendations that are forthcoming from such study be made fully available to the Executive Budget agency for such use in the preparation of the Executive Budget as it may determine to be feasible; and

BE IT FURTHER RESOLVED, that all state departments, agencies, and institutions, and particularly their fiscal officers, shall provide such aid, information, and assistance as the Legislative Council may request in carrying out the provisions of this resolution.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3092  
(Committee on Delayed Bills)  
(Peterson, Strinden)

**STUDY OF PHEASANT PROGRAM  
AT STATE FARM**

A concurrent resolution directing the Director of Institutions to study the feasibility of converting all or part of the State Farm into an area for the propagation and distribution of pheasants.

WHEREAS, the hunting of game birds is a widely popular sport in the State of North Dakota; and

WHEREAS, the assurance of sufficient numbers of game birds increases the enjoyment of the sport by those persons who hunt and also increases the revenues that result to the State from the sale of licenses and hunting equipment; and

WHEREAS, there has been in recent years a decline in the population of pheasants available for hunting within this State; and

WHEREAS, declining amounts of suitable pheasant habitat has reduced the natural reproduction of pheasants, and continued reductions in suitable habitat is probable; and

WHEREAS, a common means of maintaining game populations is to create and maintain a game propagation program whereby birds and fish are raised by the State and released for hunting purposes; and

WHEREAS, there is a likelihood that additions to the game propagation programs existing in North Dakota would help increase the number of pheasants available for hunting purposes;

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

That the Director of Institutions is hereby authorized and directed to conduct a study, with the cooperation of the State Game and Fish Department, to determine the feasibility of converting all or part of the State Farm to an area for the propagation and distribution of pheasants within the State; and

BE IT FURTHER RESOLVED, that the Director of Institutions shall make his report and recommendations, together with any legislation necessary to implement such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3093  
(Committee on Delayed Bills)  
(Royse)

## STUDY OF GOVERNMENTAL IMMUNITY

A concurrent resolution directing the Legislative Council to conduct a study of the doctrine of governmental immunity.

WHEREAS, the doctrine of governmental immunity prohibits any injured citizen from making claims against or suing the government for wrongful acts or torts of government employees and agents; and

WHEREAS, this doctrine of governmental immunity for political subdivisions of the state of North Dakota has been recently eliminated by the North Dakota Supreme Court; and

WHEREAS, in response to the Supreme Court decision, House Bill No. 1541 was introduced into the 1975 Legislative Assembly to limit the liability of political subdivisions from claims from private citizens; and

WHEREAS, House Bill No. 1541 is a measure intended to provide temporary protection to political subdivisions in order to allow sufficient time for a study of the effects of elimination of the doctrine of governmental immunity for political subdivisions;

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

That the Legislative Council is hereby directed to study the effects of the elimination of the doctrine of governmental immunity, with special emphasis on monetary limitations of liability and the financing of alternative methods of limiting governmental liability, including the feasibility and desirability of state financing of liability protection plans; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make a report of its findings and recommendations, together with any legislation required to implement such recommendations, to the Forty-fifth Legislative Assembly.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3094  
(Strinden, Olin)

## COMPLETION OF LEGISLATIVE JOURNALS

A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

WHEREAS, after termination of the Forty-fourth Legislative Assembly a complete record with index of the House and Senate journals must be prepared;

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

That Roy Gilbreath, Chief Clerk of the House, and Leo Leidholm, Secretary of the Senate, are hereby authorized and employed to compare and index the journals of the Forty-fourth Legislative Assembly, and the said Roy Gilbreath and Leo Leidholm are hereby directed to arrange for and procure sufficient assistance to insure that the said work shall be completed within twenty-five days after the adjournment of the session; and

BE IT FURTHER RESOLVED, that for the expenses of the said Roy Gilbreath and Leo Leidholm, as above set forth, there shall be allowed the sum of \$2,250.00 each, which shall include compensation for any assistance deemed necessary by them, all to be paid as other legislative expense, and paid when the respective claims are verified by the affidavits of the said Roy Gilbreath and Leo Leidholm showing completion of such work.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3095  
(Scofield, Winkjer)  
(Committee on Delayed Bills)

## COMMENDING WILLISTON BASKETBALL TEAM

A concurrent resolution congratulating the Williston Coyotes on winning the 1975 state Class A Basketball Championship.

WHEREAS, the Williston Coyotes tenaciously fought back from behind for an excitement-filled last minute victory in the North Dakota State Class A Basketball Championship against the scrappy Dickinson Midgets on Saturday, March 15; and

WHEREAS, 1975 marked the second straight trip and the seventh time in eight years that the Coyotes have successfully fought their way to the State Class A Tournament; and

WHEREAS, Williston's victory in the state finale is their second under the guidance of veteran coach Jim McPherson and their first championship since 1968; and

WHEREAS, the offensively powerful Coyotes proved themselves during regular season play by compiling a 65.3 point average enroute to a 16-4 regular season record and the Northwest Region Championship;

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

That the Forty-fourth Legislative Assembly extends its heartiest congratulations to the Williston Coyotes not only for winning the 1975 State Class A Basketball Championship, but also for showing the determination and courage they did in fighting back from behind to win the championship contest; and

BE IT FURTHER RESOLVED, that the Legislative Assembly congratulates Coach Jim McPherson; Assistant Coaches Pat Hattelstad, Dan McMahon, and Gary Knutson; team members Kevin Spooner, Bruce Beaudry, Gene Johnson, Tom Conlin, Duane Boeck, Harlan Johnson, Jim Fee, Fritz Whisenand, Don Skadeland, Eric Fee, Brad Meyer, Paul Hoffer, and Jon Winkjer; Student Managers Bob Eynon, Jim Powers, and Hugh Vallely; and Cheerleaders Theresa Schneider, Tammy Joseph, Jenny Culpepper, Carol Wattersen, and Holly Krabseth for their team spirit and victory in the State Class A Basketball Tournament; and

BE IT FURTHER RESOLVED, that copies of this resolution be presented to the coaches, team members, student managers, and cheerleaders of the Williston Coyotes.

HOUSE CONCURRENT RESOLUTION NO. 3096  
(Strinden, Backes, Olin, Winge)  
(Committee on Delayed Bills)

## COMMENDING LEGISLATIVE COUNCIL STAFF

A concurrent resolution commending the Legislative Council staff for its cooperation and professional assistance to the Legislative Assembly.

WHEREAS, the Legislative Council staff has rendered its full cooperation and professional assistance to the Legislative Assembly; and

WHEREAS, the Council staff has often worked under deadline pressure to ensure the smooth functioning of the legislative session; and

WHEREAS, the staff has worked long, extra hours and on weekends both prior to and during the legislative session in order to provide service beyond the call of duty; and

WHEREAS, the extra time and effort expended by the Council staff to facilitate the successful functioning of the Legislative Assembly is performed at a considerable sacrifice for the staff members and their families;

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

That the Forty-fourth Legislative Assembly hereby commends and extends its thanks to the Legislative Council staff for its cooperation and professional assistance to this session of the Legislature.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3097  
(Strinden, Backes)  
(Committee on Delayed Bills)

**COMMENDING SENATOR RINGSAK AS  
HANDICAPPED AMERICAN OF THE YEAR**

A concurrent resolution honoring and commending Senator Elton W. Ringsak on his selection as Handicapped American of the Year for 1974.

WHEREAS, our colleague, Senator Elton W. Ringsak, has always been a great credit to the Legislative Assembly and a source of inspiration to his fellow Senators and to members of the House of Representatives; and

WHEREAS, Elton Ringsak also serves as an exemplar of courage and perseverance to handicapped and nonhandicapped citizens throughout the State and throughout the Nation; and

WHEREAS, Senator Ringsak has previously been selected as North Dakota's Outstanding Handicapped Citizen for 1974; and

WHEREAS, the President's Committee on Employment of the Handicapped has selected Elton Ringsak as the Handicapped American of the Year for 1974, and President Ford will present the President's Trophy to him on May 1, 1975, in Washington, D. C.; and

WHEREAS, Senator Ringsak's selection recognizes that he is truly a champion of the handicapped, and represents a signal honor for the State of North Dakota and for the Legislative Assembly in which he so ably serves;

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

That the Forty-fourth Legislative Assembly takes greatest pleasure in congratulating and honoring our colleague, Senator Elton W. Ringsak, on his selection as Handicapped American of the Year for 1974 by the President's Committee on Employment of the Handicapped; and that the Assembly is proud and pleased by the selection, believing it well deserved; and

BE IT FURTHER RESOLVED, that the Secretary of State deliver enrolled copy of this resolution to Senator Elton W. Ringsak.

Filed April 15, 1975

HOUSE CONCURRENT RESOLUTION NO. 3098  
(Meiers, Tinjum)  
(Committee on Delayed Bills)

## COMMENDING PARSHALL BASKETBALL TEAM

A concurrent resolution congratulating the Parshall Braves on winning their first Class B state basketball championship and the Parshall cheerleaders on winning the state tournament spirit award.

WHEREAS, the Parshall Braves are the 1975 Class B state basketball champions as a result of their victory Saturday, March 22, over the Larimore Polar Bears; and

WHEREAS, their 54-48 victory over Larimore provided the Braves with their first state basketball championship in Class B competition; and

WHEREAS, the Parshall Braves fought to the top of a 233-team Class B field with an outstanding 26-3 won-lost record, the three losses being by a total of six points; and

WHEREAS, this year marked Parshall's fifth trip to the state tournament in the past ten years and their third appearance under the guidance of Coach L. E. (Whitey) Buchholz; and

WHEREAS, the Parshall cheerleaders and fans also did their part in the Braves' victory by winning the state tournament spirit award;

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

That the Forty-fourth Legislative Assembly extends its congratulations to Coach L. E. (Whitey) Buchholz, Braves' team members John Hauge, Terry Kraft, Bob Frantsen, Dave Stewart, Robin Hoff, Terry Martens, Melvin Lockwood, Ronald Hovda, Craig Cochrane, Todd Sherven, Jim Wahner, and Scott Dalby, and student managers Kirk Rosin and Mike Hovey on winning their first Class B state basketball championship; and

BE IT FURTHER RESOLVED, that the Legislative Assembly also extends its congratulations to the Parshall cheerleaders on winning the state tournament spirit award; and

BE IT FURTHER RESOLVED, that duly enrolled copies of this resolution be forwarded by the Secretary of State to Coach L. E. (Whitey) Buchholz, the Parshall team members, student managers, and cheerleaders.