

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 665

HOUSE CONCURRENT RESOLUTION NO. 3003
(Legislative Council)
(Interim Special Education Committee)

ASSISTANCE FOR AT-RISK CHILDREN URGED

A concurrent resolution urging state agencies to work together to assist young at-risk children and their families.

WHEREAS, the North Dakota early childhood tracking system is a comprehensive early childhood intervention program designed to monitor children up to age 5 who may be at risk for developmental, social, or academic delays; and

WHEREAS, the North Dakota early childhood tracking system provides quality direct and indirect services to young children and their families; and

WHEREAS, the North Dakota early childhood tracking system provides a mechanism for communication and cooperation among agency representatives, thereby maximizing the exchange of information and enhancing the delivery of services; and

WHEREAS, the North Dakota early childhood tracking system has improved the coordination of services among participating agencies, thereby resulting in better identification of children needing services and elimination of service duplication;

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

That the Fifty-third Legislative Assembly encourages state agencies to work together and maximize all available resources to assist young at-risk children and their families; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the State Superintendent of Public Instruction, the State Health Officer, and the executive director of the Department of Human Services.

Filed March 30, 1993

CHAPTER 666

HOUSE CONCURRENT RESOLUTION NO. 3004
(Legislative Council)
(Interim Special Education Committee)

EARLY CHILDHOOD TRACKING STUDY

A concurrent resolution directing the Legislative Council to study the North Dakota early childhood tracking system.

WHEREAS, the North Dakota early childhood tracking system is a comprehensive early intervention program designed to monitor children up to age 5 who may be at risk for developmental delays; and

WHEREAS, the North Dakota early childhood tracking system is a federally funded cooperative project involving the Department of Health and Consolidated Laboratories, the Department of Human Services, and the Department of Public Instruction; and

WHEREAS, the North Dakota early childhood tracking system is expanding to better serve the needs of children throughout the state;

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

That the Legislative Council study the progress of the North Dakota early childhood tracking system since the conclusion of the 1991-92 interim study, the need for further expansion of the program, and the continuation of funding through federal or other sources; and

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

Filed March 12, 1993

CHAPTER 667

HOUSE CONCURRENT RESOLUTION NO. 3005
(Legislative Council)
(Interim Special Education Committee)

SPECIAL EDUCATION DELIVERY STUDY

A concurrent resolution directing the Legislative Council to study the provision of services to special needs children from a multiagency perspective.

WHEREAS, special education often involves an intertwining of children's health, medical, social, and educational needs; and

WHEREAS, special education often involves the provision of services requiring multiagency responsibility; and

WHEREAS, multiagency responsibility often leads to excessive complexity in program administration and interagency inefficiencies;

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

That the Legislative Council study the delivery of services to special needs children from a multiagency perspective and consider whether services might be enhanced and efficiencies might be improved through better cooperation or consolidation of administrative functions; and

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

Filed March 12, 1993

CHAPTER 668

HOUSE CONCURRENT RESOLUTION NO. 3008
(Legislative Council)
(Interim Waste Management Committee)

SOLID WASTE MANAGEMENT STUDY

A concurrent resolution directing the Legislative Council to study the problems associated with solid waste management and the operation and effect of solid waste management districts and solid waste management plans.

WHEREAS, the problems associated with solid waste management are continuing to impose substantial burdens on the state and local governments and are of great concern to residents of the state; and

WHEREAS, as a result of legislation adopted by the Fifty-second Legislative Assembly, eight solid waste management districts were established and the district boards were required to adopt solid waste management plans; and

WHEREAS, during the 1991-92 interim the Legislative Council's Waste Management Committee conducted studies relating to solid waste management and monitored the development and operation of the solid waste management districts; and

WHEREAS, because the solid waste management districts are still in the evolutionary process, continued monitoring of the development of the districts and the operation and effect of solid waste management plans developed by the district boards and the State Department of Health and Consolidated Laboratories is necessary;

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

That the Legislative Council study the problems associated with solid waste management and the operation and effect of solid waste management districts and solid waste management plans; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Fifty-fourth Legislative Assembly.

Filed March 30, 1993

CHAPTER 669

HOUSE CONCURRENT RESOLUTION NO. 3009
(Appropriations Committee)

BLOCK GRANT FUNDS

A concurrent resolution regarding the approval of state agency use of block grant funds, and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

WHEREAS, the Congress of the United States enacted the Omnibus Budget Reconciliation Act of 1981 on July 29, 1981, thus creating several categories of "block" grant programs; and

WHEREAS, legislatures of the states are required to conduct public hearings; and

WHEREAS, the public hearing requirements for block grant moneys expected for the next biennium by the Office of Management and Budget have been met by the Appropriations Committees; and

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

WHEREAS, the Legislative Assembly will not meet in regular session during 1994 and thus its public hearing responsibility for grants not approved by the Fifty-third Legislative Assembly must be delegated to a legislative entity;

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

That the appropriation bill for the Office of Management and Budget, as it is passed by this Legislative Assembly, is the Legislative Assembly's approval and contains directions on the use of block grant moneys for the period ending September 30, 1995; and

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

BE IT FURTHER RESOLVED, that the Budget Section authority granted by this resolution is in effect during the period from the recess or adjournment of the Fifty-third Legislative Assembly through September 30, 1995, and the Budget Section shall utilize the methods and procedures for holding the hearings authorized by this resolution and giving notice of those hearings as it deems appropriate.

Filed March 30, 1993

CHAPTER 670

HOUSE CONCURRENT RESOLUTION NO. 3010
(Representatives Wald, Brown, Martin, Wardner)
(Senators Goetz, Urlacher)

WAYNE HERMAN CONGRATULATED

A concurrent resolution congratulating Wayne Herman on winning the Professional Rodeo Cowboys' Association world bareback rider championship.

WHEREAS, the Legislative Assembly recognizes and honors North Dakota citizens for their accomplishments of national significance; and

WHEREAS, Wayne Herman, a native of Golden Valley who now lives in Dickinson, earned the title of 1992 Professional Rodeo Cowboys' Association world champion bareback rider after the National Finals Rodeo; and

WHEREAS, Wayne Herman's skill, determination, toughness, hard work, and success as evidenced by his world championship are characteristics held in high esteem in the Roughrider state; and

WHEREAS, Wayne Herman's dedication to charitable causes and excellence in his chosen sport set a fine example for young people to give their utmost to their communities and chosen professions;

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

That the Fifty-third Legislative Assembly takes great pride and pleasure in extending its heartiest congratulations to Wayne Herman for his outstanding accomplishment in winning the 1992 Professional Rodeo Cowboys' Association world bareback rider championship; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Wayne Herman.

Filed January 13, 1993

CHAPTER 671

HOUSE CONCURRENT RESOLUTION NO. 3013
(Representatives Porter, Kroeber, Torgerson, Goffe)

SCHOOL ACCREDITATION STANDARDS STUDY

A concurrent resolution directing the Legislative Council to study accreditation standards utilized by the Department of Public Instruction, including those set forth in the constitution or statutes of this state.

WHEREAS, the Constitution of North Dakota sets forth certain requirements for the public schools of this state, including that they be free and uniform; and

WHEREAS, certain requirements for the public schools of this state are established by statute, including minimum curricula and length of school year; and

WHEREAS, certain accreditation standards utilized by the Department of Public Instruction govern school improvement, administration, personnel, instruction, student evaluations, student personnel services, library media services, and school policies, as established by the Department of Public Instruction;

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

That the Legislative Council study accreditation standards utilized by the Department of Public Instruction, including those set forth in the constitution or statutes of this state; and

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

Filed March 24, 1993

CHAPTER 672

HOUSE CONCURRENT RESOLUTION NO. 3015
(Representatives Porter, C. Carlson, Price)
(Senator Krebsbach)

TAX PREFERENCE STUDY

A concurrent resolution directing the Legislative Council to study tax preferences under existing law, with emphasis on prevention of unfair competitive advantages to entities receiving tax preferences.

WHEREAS, many provisions of law allow tax preferences for various worthy purposes including charitable, educational, medical, health care, agricultural, industrial, and other purposes; and

WHEREAS, in changing economic and other circumstances an entity that receives a tax preference may come into direct business competition with a private concern that does business without benefit of a tax preference; and

WHEREAS, it is incumbent upon the Legislative Assembly to assure that tax preferences that have been granted in the past continue to accomplish the purposes for which they were granted and do not operate to provide a competitive advantage in situations that were not anticipated at the time the tax preferences were created;

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

That the Legislative Council study the tax preferences allowed under existing law with emphasis on preferences under sales and use, income, and property taxes, to the end that unfair competitive advantages are eliminated in situations in which otherwise exempt activities come into direct competition with private business concerns; and

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

Filed March 24, 1993

CHAPTER 673

HOUSE CONCURRENT RESOLUTION NO. 3018
(Representatives Rydell, Keiser, Hanson, Christopherson)

MULTICOUNTY HEALTH DISTRICTS STUDY

A concurrent resolution directing the Legislative Council to study the feasibility of forming multicounty health districts statewide.

WHEREAS, the first multicounty health district was formed in 1943; and

WHEREAS, as of 1993, there are 24 local public health departments, including seven multicounty health districts, seven single county health districts, four county-city health districts, and six single county health departments; and

WHEREAS, the 24 organized local public health departments provide public health services and programs to 95.6 percent of the total state population in 49 counties; and

WHEREAS, the fragmentation of local public health departments may be a barrier to the delivery of public health services and programs throughout the state; and

WHEREAS, local public health departments desire a study to determine the feasibility of multicounty health district formation statewide;

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

That the Legislative Council study the feasibility of forming multicounty health districts statewide; and

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

Filed April 6, 1993

CHAPTER 674

HOUSE CONCURRENT RESOLUTION NO. 3019
(Representatives Nelson, Mahoney, Wardner, Gates, Boucher, Cleary)

VETERANS' PREFERENCE LAWS

A concurrent resolution directing the Legislative Council to study veterans' preference employment laws.

WHEREAS, the veterans' preference statutes have been established to provide those with military service an advantage in vying for state job openings; and

WHEREAS, the application of existing veterans' preference laws may not be consistent with the intent of those laws and may result in unfair or inconsistent practices or misunderstandings by the parties involved in the public hiring process; and

WHEREAS, the responsibilities of veterans and employers in the grievance process can result in misunderstandings between veterans and employers; and

WHEREAS, study is needed to determine if the current veterans' preference laws meet the needs of the public, veterans, and employers;

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

That the Legislative Council is directed to study the feasibility and desirability of revising state veterans' preference laws relating to public employment; and

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

Filed April 6, 1993

CHAPTER 675

HOUSE CONCURRENT RESOLUTION NO. 3020
(Representatives Poolman, Rydell, Stenehjem, Kelsch)
(Senators Maxson, W. Stenehjem)

CRIMINAL COURT DATA STUDY

A concurrent resolution directing the Legislative Council to study the data collection systems relating to the criminal justice and quasi-criminal civil systems in North Dakota, including law enforcement, prosecutors, and courts, and the data collection systems of other states.

WHEREAS, it is critical to a comprehensive analysis and evaluation of our criminal justice and quasi-criminal civil systems in North Dakota to have access to consistent and coordinated data from all components in that system; and

WHEREAS, current data collection systems within the criminal justice and quasi-criminal civil systems in North Dakota are not consistent or coordinated; and

WHEREAS, it would greatly enhance the ability of all components of the criminal justice and quasi-criminal civil systems in North Dakota to plan for and project future needs within their own areas of responsibility, if a consistent and coordinated method of collecting data were in place;

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

That the Legislative Council study the present methods of collecting data within the criminal justice and quasi-criminal civil systems in this and other states, and the desirability of implementing a systemwide data collection process in North Dakota; and

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

Filed March 12, 1993

CHAPTER 676

HOUSE CONCURRENT RESOLUTION NO. 3022
(Representatives Torgerson, Wald, Skarphol, Poolman, Brown)

MISSOURI RIVER RESERVOIR MANAGEMENT

A concurrent resolution urging the United States Army Corps of Engineers to manage Missouri River mainstem reservoir storage in a manner that will maintain adequate and sufficient levels of water in Lake Sakakawea and Lake Oahe.

WHEREAS, the Missouri River, which includes Lake Sakakawea and Lake Oahe, is a natural resource of great economic importance to the citizens of North Dakota, constituting 96 percent of the state's total surface water supply; and

WHEREAS, the availability of Missouri River water for outdoor recreation and tourism, municipal and industrial water supply, agriculture, hydropower generation, and fish and wildlife uses is an essential component of the state's economic infrastructure; and

WHEREAS, the Legislative Assembly of North Dakota is opposed to the drawdown of Lake Sakakawea and Lake Oahe in a manner that directly favors lower Missouri River Basin water uses at the expense of upper Missouri River Basin water uses; and

WHEREAS, Missouri River mainstem reservoir storage, which includes Lake Sakakawea and Lake Oahe, is at its lowest level since 1967 when the mainstem reservoir system was first filled; and

WHEREAS, 60 of 76 boat ramps on Lake Sakakawea and 7 of 12 boat ramps in the North Dakota portion of Lake Oahe are unusable which has detrimentally impacted the state's recreation and tourism industry;

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

That the Fifty-third Legislative Assembly urges the United States Army Corps of Engineers to manage Lake Sakakawea and Lake Oahe in a manner that will maintain adequate and sufficient levels of water in Lake Sakakawea and Lake Oahe; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the District Engineer, Omaha District, United States Army Corps of Engineers; the Division Engineer, Missouri River Division, United States Army Corps of Engineers; the Chief of Engineers, United States Army Corps of Engineers; the Assistant Secretary of the Army; the Secretary of the Army; the Governor; and to each member of the North Dakota Congressional Delegation.

Filed March 30, 1993

CHAPTER 677

HOUSE CONCURRENT RESOLUTION NO. 3023
(Representatives Dobrinski, Freier, Grumbo)
(Senators Andrist, Schoenwald, Dotzenrod)

RAILROAD CROSSING SAFETY STUDY

A concurrent resolution directing the Legislative Council to study railroad crossing safety to improve railroad crossing safety.

WHEREAS, there are approximately 5,000 public railroad crossings and an additional 2,000 private railroad crossings in this state; and

WHEREAS, accidents at railroad crossings can result in major property damage, serious personal injuries, and fatalities; and

WHEREAS, there is a possibility that federal standards for railroad crossing safety may be implemented; and

WHEREAS, new train markings and improved signals and signs are being experimented with in other states and Canada; and

WHEREAS, improved railroad crossing education, enforcement, and hardware policies reduce the number of accidents at railroad crossings;

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

That the Legislative Council study railroad crossing safety in this and other states and the education, enforcement, and hardware programs available to increase public safety at railroad crossings; and

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

Filed March 12, 1993

CHAPTER 678

HOUSE CONCURRENT RESOLUTION NO. 3024
(Representatives Nelson, Schindler, Boucher)
(Senators Holmberg, Mushik)

STATE LAW AND RULE AVAILABILITY STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making the North Dakota Century Code, the North Dakota Administrative Code, the North Dakota Session Laws, and other legislative publications available in mediums other than published volumes, including CD-ROM and diskettes.

WHEREAS, the state provides access to the current version of state laws only through published volumes; and

WHEREAS, the North Dakota Century Code, North Dakota Administrative Code, North Dakota Session Laws, and other legislative publications are prepared by the use of computer technology; and

WHEREAS, recent technological advances have resulted in more information becoming available in other mediums, including CD-ROM and diskettes; and

WHEREAS, the number of requests for computer access to the state's laws has increased in recent years; and

WHEREAS, although the copyright to the North Dakota Century Code is assigned to the state for official use, subject to the reservation of contractual rights by the publisher, the publisher claims the exclusive right to sell the North Dakota Century Code in mediums other than hard copy; and

WHEREAS, any resulting decrease in the number of copies of the North Dakota Century Code sold by the publisher due to sale of the laws in other mediums would likely result in an increase in the price of the hard copy volumes sold to the state and to private subscribers;

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

That the Legislative Council study the feasibility and desirability of making the North Dakota Century Code, the North Dakota Administrative Code, the North Dakota Session Laws, and other legislative publications available in mediums other than hard copy, including CD-ROM and diskettes, and that the study particularly address the rights of the publisher of the North Dakota Century Code and the cost ramifications to the state and to private subscribers; and

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

Filed March 30, 1993

CHAPTER 679

HOUSE CONCURRENT RESOLUTION NO. 3025
(Representatives Dobrinski, Freier)
(Senator Jerome)

FORT BERTHOLD RESERVATION BRIDGES

A concurrent resolution urging Congress to replace Four Bears Bridge on the Fort Berthold Indian Reservation and to build two bridges to connect the Fort Berthold communities of Twin Buttes, White Shield, and Mandaree, North Dakota.

WHEREAS, this state recognizes the need to replace Four Bears Bridge and to build two bridges in order to prevent the isolation of communities on the Fort Berthold Indian Reservation; and

WHEREAS, the Fort Berthold Indian School Board Association has expressed the need for a centrally located high school with dormitory facilities;

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

That the Fifty-third Legislative Assembly urges the Congress of the United States to replace Four Bears Bridge and to erect two bridges connecting the communities of Twin Buttes, White Shield, and Mandaree, North Dakota; and

BE IT FURTHER RESOLVED, that the Fifty-third Legislative Assembly urges the creation of a centrally located high school with dormitory facilities near the proposed bridge sites; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation, to the governing body of the Three Affiliated Tribes of the Fort Berthold Reservation, to the director of the State Department of Transportation, and to the State Superintendent of Public Instruction.

Filed April 6, 1993

CHAPTER 680

HOUSE CONCURRENT RESOLUTION NO. 3026
(Representatives Boucher, Nelson)

SCHOOL RESTRUCTURING FACULTY IMPACT STUDY

A concurrent resolution directing the Legislative Council to study the loss of employment by teachers and administrators as a result of school district reorganizational, cooperative, and restructuring programs, including the possibility of changes in retirement benefits for those teachers and administrators.

WHEREAS, the state of North Dakota, has through school district boundary restructuring, cooperative, and reorganizational programs, whether mandatory or permissive, encouraged the consolidation of school districts; and

WHEREAS, although the restructuring of school districts may result in certain efficiencies and economies, there are casualties of the process that receive very little attention; and

WHEREAS, the result of school district annexations, reorganizations, dissolutions, or other restructuring is often the nonrenewal of teacher and administrator contracts; and

WHEREAS, study of the effects of school district restructuring could result in consideration of legislation to alleviate some unintended results;

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

That the Legislative Council study the effects of school district reorganizational, cooperative, or restructuring programs on the employment of teachers and administrators; and

BE IT FURTHER RESOLVED, that the Legislative Council study whether teachers and administrators who have lost their jobs as a result of school district annexations, reorganizations, dissolutions, and other restructuring and who have a combined total of years of service credit and years of age which equals 80 should be eligible to receive full retirement benefits, under the Teachers' Fund for Retirement; and

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

Filed April 6, 1993

CHAPTER 681

HOUSE CONCURRENT RESOLUTION NO. 3028
(Representative Dobrinski)

TRIBAL LAND TRANSFER STUDY

A concurrent resolution directing the Legislative Council to study whether the state of North Dakota may be eligible to receive lands transferred pursuant to the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act.

WHEREAS, on May 10, 1985, the Secretary of the Interior established the Joint Tribal Advisory Committee for the purpose of assessing the impacts of the Garrison and Oahe dams on the Three Affiliated Tribes and Standing Rock Sioux Tribe; and

WHEREAS, the Joint Tribal Advisory Committee found that the Three Affiliated Tribes and Standing Rock Sioux Tribe should be adequately compensated for the taking of lands for the site of the Garrison Dam and Reservoir and the Oahe Dam and Reservoir; and

WHEREAS, the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act [Title XXXV, Public Law 102-575, 106 Stat. 4600] directs the Secretary of the Army to transfer certain lands that were acquired from the Three Affiliated Tribes by the United States for the Garrison Dam Project and which are within the external boundary of the Fort Berthold Indian Reservation and located at or above contour elevation 1,860 feet mean sea level; and

WHEREAS, the Act also directs the Secretary of the Army to transfer certain lands that were acquired from the Standing Rock Sioux Tribe by the United States for the Oahe Dam Reservoir Project and which are located at or above contour elevation 1620 feet mean sea level; and

WHEREAS, the Act also directs the Secretary of the Army to transfer those federal lands acquired from individual Indian owners by the United States for the Garrison Dam Project and Oahe Dam and Reservoir Project and those lands acquired from non-Indian owners by the United States for the Garrison Dam Project and Oahe Dam and Reservoir Project; and

WHEREAS, it should be explored whether the state of North Dakota is entitled to or eligible to receive lands pursuant to the Act;

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

That the Legislative Council study whether the state of North Dakota may be eligible to receive lands transferred pursuant to the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act; and

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

Filed March 30, 1993

CHAPTER 682

HOUSE CONCURRENT RESOLUTION NO. 3029
(Representatives Kerzman, C. Carlson, Dobrinski, Jacobs)
(Senator Kelsh)

LIVESTOCK INDUSTRY STUDY

A concurrent resolution directing the Legislative Council to study livestock industry concentration and the resulting problems faced by livestock producers.

WHEREAS, in 1991, three corporations slaughtered 80 percent of fed cattle and 70 percent of marketed lamb and sheep; and

WHEREAS, between 1967 and 1991 the livestock producers' share of the retail price of beef and lamb has dropped while the packers' and retailers' shares have increased; and

WHEREAS, the concentration of industry control by a limited number of meatpackers should be reviewed to determine if antitrust laws are being violated; and

WHEREAS, the Attorney General of the United States should enforce the Packers and Stockyards Act to ensure free and fair competition and to prevent monopolistic practices by slaughtering and processing corporations;

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

That the Legislative Council study livestock industry concentration and the resulting problems faced by livestock producers; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations together with any legislation required to implement the recommendations, to the Fifty-fourth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations to the Attorney General of the United States, the Secretary of Agriculture, and to each member of the North Dakota Congressional Delegation.

Filed March 30, 1993

CHAPTER 683

HOUSE CONCURRENT RESOLUTION NO. 3030
(Representatives Dorso, Timm)
(Senator Tennesfos)

FEDERAL DRIVER'S LICENSE SANCTIONS OPPOSED

A concurrent resolution opposing the enactment of legislation providing for sanctions dealing with an individual's driver's license as a consequence of the individual's conviction of any drug-related offense.

WHEREAS, the provisions of Section 159 of Title 23 of the United States Code mandates that the United States Secretary of Transportation withhold federal-aid highway funds from a state that fails to enact legislation that provides sanctions dealing with an individual's driver's license upon the individual's conviction of any violation of the federal Controlled Substances Act or any drug-related offense, or provide a written certification that the governor of the state is opposed to the enactment and enforcement of such legislation and that the legislature of the state has adopted a resolution expressing its opposition to such a law; and

WHEREAS, drug abuse and the problems associated with drug abuse continue to be matters of deep national concern, but the sanctioning of an individual driver's license as proposed under Section 159 of Title 23 of the United States Code is considered an inappropriate response to the problem; and

WHEREAS, the sanctioning of an individual's driver's license is a matter best left to the state to ensure compliance with the traffic and motor vehicle laws of the state; and

WHEREAS, the federal government should refrain from mandating policy or legislation of this nature for the state;

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

That the Fifty-third Legislative Assembly expresses opposition to the enactment or enforcement of any law mandated under Section 159 of Title 23 of the United States Code, relating to sanctions dealing with an individual's driver's license upon conviction of any violation of the federal Controlled Substances Act or any drug-related offense; and

BE IT FURTHER RESOLVED, that this resolution is intended to satisfy the requirements of subparagraph B of paragraph 3 of subsection a of Section 159 of Title 23 of the United States Code; and

BE IT FURTHER RESOLVED, that the Secretary of State prepare and forward to the Governor an authenticated copy of this resolution; and

BE IT FURTHER RESOLVED, that the Governor is urged to submit to the United States Secretary of Transportation a written certification that the Governor opposes the enactment or enforcement in this state of a federal law requiring sanctions

dealing with an individual's driver's license upon conviction of any violation of the federal Controlled Substances Act or any drug-related offense, a written certification that the Fifty-third Legislative Assembly has adopted this resolution, and the authenticated copy of this resolution.

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

Filed March 26, 1993

CHAPTER 684

HOUSE CONCURRENT RESOLUTION NO. 3031
(Representatives Kerzman, Svedjan)
(Senator Mathern)

MEDICAL ASSISTANCE RECIPIENT REFERRAL

A concurrent resolution encouraging the Department of Human Services to refer medical assistance recipients to public health programs for certain medical services.

WHEREAS, the early and periodic screening, diagnosis, and treatment program screens children for physical and developmental concerns; and

WHEREAS, public health services provide immunizations and other services at costs less than those incurred through private clinics; and

WHEREAS, many medical assistance recipients receive treatment at private clinics even though comparable services are available through public health services; and

WHEREAS, the use of the early and periodic screening, diagnosis, and treatment program and other public health services by medical assistance recipients would decrease the cost of providing quality medical services to medical assistance eligible people;

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

That the Department of Human Services is encouraged to refer medical assistance recipients to the early and periodic screening, diagnosis, and treatment program and other public health services for certain medical services; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the executive director of the North Dakota Department of Human Services.

Filed March 24, 1993

CHAPTER 685

HOUSE CONCURRENT RESOLUTION NO. 3033
(Representatives Ring, Boucher, Kretschmar, Svedjan)
(Senators Maxson, Jerome)

INDIAN LAW CENTER SUPPORT

A concurrent resolution commending the University of North Dakota School of Law for its interest in and efforts to establish a center for the study of American Indian law, and to urge the North Dakota Congressional Delegation to lend its support and assistance for the center.

WHEREAS, the University of North Dakota School of Law has recognized the need to provide information and education relating to the courts and other legal matters in the area of American Indian law; and

WHEREAS, the University of North Dakota School of Law is an appropriate entity to assume the duties and responsibilities regarding the control and operation of an American Indian Law Center; and

WHEREAS, it would be in the interest of all North Dakotans to have access to and use of a center for the study of American Indian Law;

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

That the Fifty-third Legislative Assembly commends the University of North Dakota School of Law for its interest in and efforts to establish a center for the study of American Indian law and urges the North Dakota Congressional Delegation to assist in the establishment of such a center in any way possible; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the University of North Dakota School of Law, the State Board of Higher Education, and each member of the North Dakota Congressional Delegation.

Filed March 12, 1993

CHAPTER 686

HOUSE CONCURRENT RESOLUTION NO. 3034
(Representatives Ness, Cleary, Brodshaug, Nelson, Rydell, Pyle)

RIGHTS OF THE CHILD CONVENTION

A concurrent resolution commending the United Nations for adopting its Convention on the Rights of the Child and urging Congress to consider the issues raised in the convention.

WHEREAS, the state of North Dakota values children as the state's greatest resource and provides for its children through programs for education, health, and welfare; and

WHEREAS, the state of North Dakota maintains and strengthens family and cultural units wherever possible; and

WHEREAS, the state of North Dakota maintains a special relationship with children through foster care programs, residential treatment centers, and the juvenile court system; and

WHEREAS, the criminal code of the state of North Dakota recognizes the vulnerability of children; and

WHEREAS, the state of North Dakota promotes respect for the role of parents, members of the child's extended family, and the child's own community to help direct and guide the child; and

WHEREAS, when the family structure changes, the state of North Dakota requires its courts to act in the best interests of the minor children and to assure their adequate support; and

WHEREAS, the United States government, through Congress and various executive branch agencies, is also committed to policies that enhance the lives of children; and

WHEREAS, the United Nations has recently passed its Convention on the Rights of the Child; and

WHEREAS, the Convention on the Rights of the Child is addressed to national and local governments; and

WHEREAS, the Convention on the Rights of the Child reminds us of our obligations to assure children educational opportunities, to provide the highest available standard of health care, to protect freedoms of expression and association, and to avoid exploitation and abuse;

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

That the Fifty-third Legislative Assembly reiterates its commitment to our children, commends the United Nations for its Convention on the Rights of the Child,

urges the President of the United States to sign the Convention on the Rights of the Child, and urges the Congress of the United States to ratify the Convention on the Rights of the Child and to continue its efforts to protect and enhance the lives of children; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the State Departments of Health and Consolidated Laboratories, Human Services, and Public Instruction; to the President of the United States; to the secretaries of the United States Departments of Education, Health and Human Services, and Housing and Urban Development; to the chairmen of the United States Senate Committees on Judiciary and Labor and Human Relations and to the United States House of Representatives Committees on Education and Labor, Judiciary, and its Select Committee on Children, Youth, and Families; and to each member of the North Dakota Congressional Delegation.

Filed March 24, 1993

CHAPTER 687

HOUSE CONCURRENT RESOLUTION NO. 3035
(Representatives Belter, Hokana)
(Senators Nelson, Kinnoin)

NATIONAL ENERGY TAX OPPOSITION

A concurrent resolution urging the President and Congress to reject any proposals for a national energy tax and to reject any proposals to increase federal excise taxes on motor fuels for the purposes of deficit reduction.

WHEREAS, the United States Congress and the President are considering an increase in the federal motor fuel tax or enactment of a national energy tax to help reduce the nation's deficit; and

WHEREAS, motor fuel is already one of the most heavily taxed commodities consumers buy; and

WHEREAS, the federal deficit is a national problem that should not be addressed by taxes that apply only to the country's highway users and energy users; and

WHEREAS, the nation's highway transportation system is largely the result of an effective state-federal partnership utilizing federal highway trust fund money from taxes paid by highway users; and

WHEREAS, with growing congestion and heavy replacement costs for roads and bridges, additional highway user taxes for nonhighway purposes could seriously hamper federal and state abilities to meet highway needs; and

WHEREAS, in addition to being inflationary, a large additional motor fuel or national energy tax for deficit reduction would cost thousands of jobs, reduce the gross national product, and reduce federal income tax revenues; and

WHEREAS, increasing the federal motor fuel tax or creating a national energy tax for nonhighway purposes would seriously erode public support for the successful pay-as-you-go state-federal highway program; and

WHEREAS, an increase in the motor fuel tax would fall hardest on the working poor and states like North Dakota that depend heavily on energy; and

WHEREAS, for most people there are no practical alternatives to driving or energy use for business and heating; and

WHEREAS, the public demands that deficit reduction be based on Congress effectively controlling federal spending and acquiring revenue through fair and equitable taxation;

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

That the Fifty-third Legislative Assembly opposes the imposition of any additional federal excise tax on motor fuels or imposition of a national energy tax to help balance the federal budget and urges both the President and Congress to reject any such proposals; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the United States Department of Transportation, the chairman of the United States House of Representatives Committee on Public Works and Transportation, the chairman of the United States Senate Committee on Finance, the presiding officers of the United States Senate and House of Representatives, and to each member of the North Dakota Congressional Delegation.

Filed April 6, 1993

CHAPTER 688

HOUSE CONCURRENT RESOLUTION NO. 3036
(Representatives Porter, Price, Thorpe, Timm, Tollefson, Wentz)

CENTRAL TRADE CORRIDOR

A concurrent resolution expressing support for the development of the Central North American Trade Corridor.

WHEREAS, United States Highway 83 runs from the Canadian border in North Dakota to the southern border of Texas and connects with highly traveled roads in Canada and Mexico; and

WHEREAS, there is good potential for increased trade with Canada and Mexico; and

WHEREAS, a core group recently announced the formation of a proposed Central North American Trade Corridor; and

WHEREAS, the purpose of this group is to promote trade by establishing a recognized trade corridor running along Highway 83; developing an international marketing cooperative; utilizing the Free Trade Agreement; exchanging information about marketing and distribution of goods; and developing the trade corridor infrastructure, including custom-bonded warehouses, foreign trade zones, intermodal and multimodal facilities, and the highway, rail, and air transportation systems; and

WHEREAS, the development of the corridor would provide needed economic development in the state;

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

That the Fifty-third Legislative Assembly expresses its support for the development of the Central North American Trade Corridor; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to Mr. Steve Peterson, the acting chairman of the group proposing the Central North American Trade Corridor, the President of the United States, the majority leaders of the United States House of Representatives and the United States Senate, each member of the North Dakota Congressional Delegation, the Governors of the affected states, and the Premiers of the provinces of Saskatchewan and Manitoba.

Filed March 24, 1993

CHAPTER 689

HOUSE CONCURRENT RESOLUTION NO. 3039
(Representatives Nicholas, Dobrinski)
(Senators Freborg, Kelsh)

FEDERAL AGRICULTURAL POLICIES URGED

A concurrent resolution urging the Secretary of Agriculture to increase commodity loan rates, implement the Target Option Payment program, appropriately index target prices, increase acceptance rates by the Farmer Owned Reserve, adjust milk marketing orders, study the relationship between support levels, production costs, and farm income, and review current regulations governing commodity support programs.

WHEREAS, North Dakota relies upon agriculture as the base of its economy; and

WHEREAS, real net farm income fell to its lowest level ever in the 1980's which remains inadequate and will continue to fall with the proposed federal BTU tax; and

WHEREAS, since 1980, North Dakota has lost over 7,000 farms and the nation as a whole has lost over 250,000 farms; and

WHEREAS, it is anticipated that North Dakota and the nation will continue to lose farms; and

WHEREAS, the loss of farms has an accompanying loss of farmers and farm income, which in turn has devastated main street businesses and led to the out-migration of our young people; and

WHEREAS, a modest increase of 50 cents per bushel in the price of wheat would add \$200 million to farm income; and

WHEREAS, the current farm program has failed to provide family farmers with reasonable economic safety nets; and

WHEREAS, the current farm program is excessively complicated and burdensome for producers;

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

That the Fifty-third Legislative Assembly urges the Secretary of Agriculture to use the discretionary authority granted in the Food, Agriculture, Conservation, and Trade Act of 1990 and increase commodity loan rates to the statutory level, implement the Target Option Payment program, index target prices to the rate of inflation, open the Farmer Owned Reserve to accept up to 15,000 bushels per farmer, adjust milk marketing orders to provide orderly market conditions that maintain the purchasing power of dairy farmers and the value of their assets, direct the United States Department of Agriculture to study the relationship between support levels, production costs, and farm income, and review current regulations governing

commodity support programs in order to simplify producer participation and compliance; and

BE IT FURTHER RESOLVED, that the Fifty-third Legislative Assembly invites the Secretary of Agriculture to tour North Dakota and to conduct a hearing on farm policy while in this state; and

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

Filed April 6, 1993

CHAPTER 690

HOUSE CONCURRENT RESOLUTION NO. 3041
(Representatives Byerly, Payne)

CAPITAL CONSTRUCTION STUDY

A concurrent resolution directing the Legislative Council to study the short-term and long-term capital construction needs of state agencies and institutions and methods of financing capital construction projects.

WHEREAS, the current 10 percent of one percent of sales tax set aside for capital construction needs appears to be inadequate to finance necessary projects; and

WHEREAS, the State Building Authority may be able to issue debt for revenue bond facilities on the state's colleges and universities at a lower cost; and

WHEREAS, the practice of requiring local shares on state capital construction projects is not uniform; and

WHEREAS, the actual cost of projects when financed by bond issues may or may not be high; and

WHEREAS, the value of the capital construction budget to the Legislative Assembly should be evaluated;

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

That the Legislative Council study the short-term and long-term capital construction needs of state agencies and institutions and methods used by the state to determine which capital construction projects to undertake, the most appropriate method of finance, and the appropriateness of private or local contributions toward construction costs; and

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

Filed April 6, 1993

CHAPTER 691

HOUSE CONCURRENT RESOLUTION NO. 3042
(Representative Hagle)

COUNTY CONSOLIDATION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating counties.

WHEREAS, legislation consolidating the counties of the state or providing the means for easier optional consolidation of counties has been considered by the Fifty-third Legislative Assembly; and

WHEREAS, it has become apparent that there are potential advantages and disadvantages of consolidating counties by legislation or by local option and thoughtful review is needed to fully examine the legal and administrative issues necessary to make a decision in the best interests of all citizens; and

WHEREAS, study of the consolidation of counties during an interim period with study committee membership of local government representatives will allow adequate time for consideration of the complex issues that must be addressed and allow an opportunity for input from citizens;

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

That the Legislative Council study the feasibility and desirability of statutorily combining counties or revising provisions for optional consolidation of counties; and

BE IT FURTHER RESOLVED, that the Legislative Council include county government officials as citizen members of the interim committee conducting this study, or in the alternative, that the Legislative Council refer this study to the Advisory Commission on Intergovernmental Relations; and

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

Filed March 30, 1993

CHAPTER 692

HOUSE CONCURRENT RESOLUTION NO. 3043
(Representatives Boucher, Allmaras, Dobrinski, Ring, Wilkie)

MEDICAL ASSISTANCE STUDY

A concurrent resolution directing the Legislative Council to study the medical assistance eligible population in this state to determine if there is a need for a more equitable distribution of medical assistance reimbursement to certain providers.

WHEREAS, there are approximately 52,500 residents of the state who are eligible for medical assistance benefits for health care services; and

WHEREAS, some health care providers have an excessive medical assistance clientele due to a heavy concentration of medical assistance eligible residents in the area of the state in which those providers practice; and

WHEREAS, medical assistance reimbursement rates are lower than other health care insurance reimbursement rates; and

WHEREAS, a review of the distribution of medical assistance eligible persons in the state and of whether some health care providers are serving a disproportionate number of medical assistance clientele would uncover inequities that exist in the medical assistance system; and

WHEREAS, if inequities exist, a different reimbursement method might be considered to provide reimbursement at increased rates for providers serving a larger ratio of medical assistance recipients;

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

That the Legislative Council study the medical assistance eligible population in this state to determine if there is a need for a more equitable distribution of medical assistance reimbursement to certain providers; and

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

Filed April 6, 1993

CHAPTER 693

HOUSE CONCURRENT RESOLUTION NO. 3044
(Representative Sveen)

TEACHER SALARY AND BENEFIT STUDY

A concurrent resolution directing the Legislative Council to study the feasibility of the legislative assembly establishing teacher salaries and benefits.

WHEREAS, setting the appropriate level of teacher salaries and benefits has been a concern of teachers, school board members, and the citizens of this state; and

WHEREAS, the negotiation process and setting of teacher salaries and benefits can lead to discontent on the part of teachers, school board members, and taxpayers of this state; and

WHEREAS, it would best serve the interests of everyone concerned if the time, energy, and resources devoted to teacher salaries and benefits were applied to the education of our children; and

WHEREAS, the diversity of salaries and benefits to teachers among the school districts of this state may lead to inequities resulting in differentials in educational opportunities for students;

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

That the Legislative Council study the feasibility of the legislative assembly establishing teacher salaries and benefits; and

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

Filed March 24, 1993

CHAPTER 694

HOUSE CONCURRENT RESOLUTION NO. 3045
(Representatives Huether, Belter, Timm)
(Senators Mushik, Tallackson, Uriacher)

TAX STRUCTURE STUDY

A concurrent resolution directing the Legislative Council to study the tax structure, particularly the balance among the various tax systems in North Dakota.

WHEREAS, uncertainty exists concerning the proper balance among the various tax systems in North Dakota, including property taxes, corporate, individual, trust, and estate income taxes, and sales, use, and excise taxes; and

WHEREAS, variation exists between statistics and studies that compare North Dakota's tax rates to the rates of other states; and

WHEREAS, recent interest in legislation and initiative and referendum issues dealing with taxation issues at the state and local level indicate that thorough study of tax issues is required; and

WHEREAS, there is a need to review the means of raising revenue required to provide services at the state and local levels and to try to find efficient and effective ways to equitably distribute the tax burden;

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

That the Legislative Council study the tax structure, particularly the balance among the various tax systems in North Dakota; and

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

Filed March 24, 1993

CHAPTER 695

HOUSE CONCURRENT RESOLUTION NO. 3046
(Representatives Rydell, Kerzman, Grumbo, Hagle)
(Senators DeMers, Goetz)

STATEWIDE TRAUMA CARE STUDY

A concurrent resolution directing the Legislative Council to study the need for and development of a statewide trauma care system in this state.

WHEREAS, it is a legislative responsibility to review the need for new laws to ensure that serious problems that affect the health and safety of citizens are addressed; and

WHEREAS, citizens of this state are at risk of death or serious injury due to trauma incidents; and

WHEREAS, trauma is the leading cause of death for North Dakotans under the age of 45; and

WHEREAS, for each trauma death there are two cases of permanent disability; and

WHEREAS, studies reported by the National Highway Traffic Safety Administration and others have shown dramatic reductions in preventable trauma deaths in areas where trauma systems have been implemented on an organized basis; and

WHEREAS, the United States Congress recognized the need for states to take action to develop organized trauma systems, and passed the national Trauma Care Systems Planning and Development Act in 1990, and provided funding in fiscal year 1992; and

WHEREAS, North Dakota was one of 23 states selected to be awarded Trauma Care Act funding in October 1992 to develop a statewide trauma system plan; and

WHEREAS, because trauma primarily affects people at or near the beginning of their most productive work years, its cost measured in lost productivity from both disability and death is extremely high, and in North Dakota is primarily due to motor vehicle crashes and other accidents; and

WHEREAS, the emergency medical services system in this state is predominantly made up of volunteer emergency medical technician personnel who support the need for a statewide trauma care system;

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

That the Legislative Council study the present status of trauma care in this and other states, and the desirability of adopting a statewide Trauma Systems Act; and

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

Filed March 24, 1993

CHAPTER 696

HOUSE CONCURRENT RESOLUTION NO. 3047
(Representative Porter)
(Senators DeMers, Evanson)

EMPLOYMENT OF MINORS STUDY

A concurrent resolution directing the Legislative Council to study issues related to the employment of minors, including the need for employment, the academic and financial impact of employment, and safety requirements in the workplace.

WHEREAS, teenagers frequently combine employment during the school year with their academic responsibilities; and

WHEREAS, the reasons for teenagers to combine employment with their academic responsibilities can include the need to assist their families, acquire funds to pay the costs of higher education, and obtain spending money; and

WHEREAS, the desire of teenagers to combine employment with their academic activities can impact their academic performance; and

WHEREAS, the part-time employment of teenagers raises other concerns, such as the safety of their work environment;

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

That the Legislative Council study the employment of minors, including the need for employment, the academic and financial impact of such employment, and the safety requirements for minors in the workplace; and

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

Filed March 30, 1993

CHAPTER 697

HOUSE CONCURRENT RESOLUTION NO. 3049
(Representatives Rennerfeldt, Brown, Hokana)
(Senators Nelson, Robinson)

PURPLE LOOSESTRIFE STUDY

A concurrent resolution directing the Legislative Council to study noxious weed laws to determine the feasibility and desirability of identifying purple loosestrife as a noxious weed and instituting appropriate methods of control or eradication.

WHEREAS, purple loosestrife is a plant that thrives in wetlands; and

WHEREAS, one purple loosestrife stalk can create up to 300,000 seeds; and

WHEREAS, purple loosestrife puts down strong roots in damp ditches and wetlands, competes with cattails, mints, bullrushes, grass, and lily pads, and completely changes the aquatic environment; and

WHEREAS, purple loosestrife is to wetlands what leafy spurge is to pasturelands; and

WHEREAS, Minnesota has classified purple loosestrife as a noxious weed;

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

That the Legislative Council study noxious weed laws to determine the feasibility and desirability of identifying purple loosestrife as a noxious weed and instituting appropriate methods of control or eradication;

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

Filed March 30, 1993

CHAPTER 698

HOUSE CONCURRENT RESOLUTION NO. 3050
(Representatives Tollefson, Hanson)

HUNTING STUDY

A concurrent resolution directing the Legislative Council to study the state's hunting laws to determine changes that can be made to improve the relationship between hunters and private landowners, including the issuance of gratis permits.

WHEREAS, most North Dakota land is privately owned; and

WHEREAS, there were over 275,000 resident hunting licenses and over 25,000 nonresident hunting licenses issued in 1991; and

WHEREAS, hunting opportunities in this state are an economic and recreational benefit to the people of this state and other states; and

WHEREAS, a good working relationship based on a common understanding of the rights of both the hunter and private landowner is vital to the future of hunting in the state; and

WHEREAS, public accessibility to private lands for hunting purposes must be insured; and

WHEREAS, there may be incentives that can be made available to private landowners to permit public hunting on private lands;

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

That the Legislative Council study the state's hunting laws to determine changes that can be made to improve the relationship between hunters and private landowners, including the issuance of gratis permits; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Fifty-fourth Legislative Assembly.

Filed April 6, 1993

CHAPTER 699

HOUSE CONCURRENT RESOLUTION NO. 3051

(Representatives Clayburgh, C. Carlson, Gates, Glasheim, Klein, Maragos, D. Olsen, Poolman, Porter, Price, Ring, Shide, St. Aubyn, Svedjan, Thorpe, Timm, Tollefson, Wentz)
(Senators DeMers, Graba, Holmberg, Krebsbach, Maxson, Mutch, Redlin, Schoenwald, W. Stenehjem)

(Approved by the Delayed Bills Committee)

AIR FORCE BASE SUPPORT

A concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

WHEREAS, the Grand Forks Air Force Base is located 16 miles west of Grand Forks and the Minot Air Force Base is located 13 miles north of Minot; and

WHEREAS, the major tenants of the Grand Forks Air Force Base are the 319th Bomb Wing including 17 B-1B bombers, the 905th AREFS including 13 KC-135R tankers and the 321st Missile Wing including 150 Minuteman III missiles; and

WHEREAS, the major tenants of the Minot Air Force Base are the 5th Bomb Wing including 16 B-52H bombers, the 906th AREFS including 18 KC-135 tankers and the 91st Missile Wing including 150 Minuteman III missiles; and

WHEREAS, the combined employment of the Grand Forks and Minot Air Force bases includes approximately 9,500 military and 1,200 civilian employees; and

WHEREAS, the Grand Forks and Minot Air Force bases have been an active part of the state's social, economic, and historical background for over 30 years; and

WHEREAS, the combined economic impact of the Grand Forks and Minot Air Force bases is over \$400 million annually to the state; and

WHEREAS, closure of either one of the Air Force bases would have an extremely detrimental economic impact on the city, county, and state structure of government; and

WHEREAS, the location of the Grand Forks and Minot Air Force bases render them essential to the defense of the United States; and

WHEREAS, the communities of Grand Forks and Minot have been actively engaged in promoting a continued presence by the Air Force at the Grand Forks and Minot Air Force bases;

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

That the Fifty-third Legislative Assembly supports the efforts of many individuals and groups to ensure the continued operation of the Grand Forks Air Force Base and Minot Air Force Base;

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Department of Defense, Joint Chiefs of Staff, Commander - Air Combat Command, Commander - Air Mobility Command, mayors of Grand Forks and Minot, and to each member of the North Dakota Congressional Delegation.

Filed February 18, 1993

CHAPTER 700

HOUSE CONCURRENT RESOLUTION NO. 3052
(Representatives Hokana, Timm)
(Senator Dotzenrod)

INDIVIDUAL INCOME TAX STUDY

A concurrent resolution directing the Legislative Council to study the imposition of state income taxes for individuals, estates, and trusts.

WHEREAS, since 1981 North Dakota has had two separate methods of determining income tax liability for individuals, estates, and trusts; and

WHEREAS, the existence of two separate methods of imposing income taxes makes it difficult for citizens to understand the state's income tax laws and interrelationships; and

WHEREAS, thorough study of North Dakota income tax laws is required to determine whether it is possible to create a unified method of determining individual, estate, and trust income taxes which is simple to administer and understand, contains a minimal number of exemptions and credits, and is approximately revenue neutral;

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

That the Legislative Council study the imposition of income taxes for individuals, estates, and trusts with emphasis on determining a unified method of determining individual, estate, and trust income taxes which is simple to administer and understand, contains a minimal number of exemptions and credits, and is approximately revenue neutral; and

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

Filed March 24, 1993

CHAPTER 701

HOUSE CONCURRENT RESOLUTION NO. 3053
(Representatives Hokana, Timm)
(Senator Dotzenrod)

SALES AND USE TAX STUDY

A concurrent resolution directing the Legislative Council to study the imposition and administration of sales, use, motor vehicle excise, and aircraft excise taxes.

WHEREAS, sales, use, motor vehicle excise, and aircraft excise taxes constitute major revenue sources for the state and local governments; and

WHEREAS, the fact that sales taxes are a substantial tax obligation requires the Legislative Assembly to scrutinize imposition of the tax to assure that it is fairly apportioned among citizens; and

WHEREAS, policy decisions concerning sales, use, and excise tax rates and exemptions impact economic development, tourism, and all other aspects of North Dakota's economy; and

WHEREAS, the sales tax base in this state should be compared to the sales tax base in other jurisdictions on a frequent basis to allow informed decisions on whether there is a need for uniformity across jurisdictional lines;

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

That the Legislative Council study imposition and administration of sales, use, motor vehicle excise, and aircraft excise taxes; and

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

Filed March 24, 1993

CHAPTER 702

HOUSE CONCURRENT RESOLUTION NO. 3054
(Representatives Aarsvold, Bateman, Kerzman)
(Senators Redlin, Thane, Urlacher)

RURAL WATER SUPPLY STUDY

A concurrent resolution directing the Legislative Council to study the supplying of water to rural areas and small towns.

WHEREAS, the means to supply water to rural areas and small towns in this state is a critical issue; and

WHEREAS, funding by the Farmers Home Administration has been available in the past for water supply organizations but it appears the role of the Farmers Home Administration will diminish so it is necessary to develop plans to restructure financing for nonprofit rural water supply organizations and to examine financing options, including tax-exempt financing, which will be compatible with federal law; and

WHEREAS, it is necessary to examine the need for improvement, renovation, and expansion of existing water service systems and to assure that rural water supply organizations are able to comply with increasing regulation, make systems more viable, expand to include unserved areas, and assure that rural water rates remain stable;

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

That the Legislative Council study the supplying of water to rural areas and small towns; and

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

Filed March 30, 1993

CHAPTER 703

HOUSE CONCURRENT RESOLUTION NO. 3055
(Representatives Clayburgh, Gerntholz, Howard, Kroeber)
(Senators Lindgren, Nething)

EMERGENCY MANAGEMENT STUDY

A concurrent resolution directing the Legislative Council to study the structure and organization of the Division of Emergency Management and local emergency management organizations.

WHEREAS, the possibility of combining the Division of Emergency Management into another existing state agency and the combining of local emergency management organizations into the county sheriffs' offices requires detailed study of numerous issues; and

WHEREAS, study of consolidation should include the review of similar functions and duties being performed by other state agencies and local governmental entities in an attempt to eliminate duplication and increase the efficiency of the services provided; and

WHEREAS, study of the consolidation of the Division of Emergency Management and local emergency management organizations with other local governmental entities should include review and evaluation of any economic, professional, training, emergency preparedness, and other potential benefits as well as a thorough evaluation of impacts on local units of government;

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

That the Legislative Council study the structure and organization of the Division of Emergency Management and local emergency management organizations, including the feasibility of consolidation of the Division of Emergency Management with an appropriate state agency and the feasibility of consolidation of local emergency management organizations with other local governmental units, and that consideration be given to whether services would be enhanced and greater efficiencies would be achieved through these consolidations; and

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

Filed March 30, 1993

CHAPTER 704

HOUSE CONCURRENT RESOLUTION NO. 3056
(Representatives Austin, Brodshaug, A. Carlson, Holm, Svedjan,
Wentz)

CHILD CARE AND INJURY PREVENTION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of implementing a funding program for child care licensing reforms, child abuse prevention, and child injury prevention through the purchase of personalized motor vehicle license plates.

WHEREAS, the health and safety of children in this state is of utmost importance; and

WHEREAS, injury prevention programs dealing with water safety, fire safety, firearms safety, bicycle safety, playground safety, in-home safety, toxic safety, vehicle restraints, blood poisoning, and sudden infant death syndrome may not be funded at a level to achieve optimum results; and

WHEREAS, other states have implemented programs to support child care licensing reforms, child abuse prevention, and child injury prevention programs in new and innovative ways; and

WHEREAS, California has instituted a program called "Kids License Plates" that results in a portion of the moneys received from personalized license plates that have symbols representing a heart shape, a five-point star, a child's handprint, and a plus sign dedicated for child care reforms; and

WHEREAS, Section 11 of Article X of the Constitution of North Dakota provides that motor vehicle licensing and registration fees be placed in the highway tax distribution fund for public highway construction purposes; and

WHEREAS, any proposal to change the distribution of motor vehicle license and registration fees requires a review of constitutional requirements;

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

That the Legislative Council study the feasibility and desirability of implementing a funding program for child care licensing reforms, child abuse prevention, and child injury prevention through the purchase of personalized motor vehicle license plates; and

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

Filed March 24, 1993

CHAPTER 705

HOUSE CONCURRENT RESOLUTION NO. 3057
(Representatives Brodshaug, Dorso, Rydell)

YOUTH FOSTER CARE AND COURT STUDY

A concurrent resolution directing the Legislative Council to study the problems and resources available to meet the needs of North Dakota youth age 17 through 21 who are released from the state foster care or court system.

WHEREAS, while the potential earning power of a youth about to become a part of the work force is a tremendous asset, the potential costs of losing a youth to the correction system may be a tremendous liability; and

WHEREAS, young people age 17 through 21 who are released from the state's foster care system may become parents before they become self-sufficient members of the work force; and

WHEREAS, while most families continue to nourish their children throughout the years of their education and into maturity, some find it difficult to break an intergenerational proclivity to depend upon state support systems; and

WHEREAS, youth with the ability and the will to become economically contributing citizens of North Dakota should not be deprived of the opportunity to do so; and

WHEREAS, the United States Department of Health and Human Services has indicated its willingness to develop pilot projects offering transitional living services for youth age 17 through 21;

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

That the Legislative Council study the problems of and resources available to meet the needs of North Dakota youth age 17 through 21 who are released from the foster care or court system; and

BE IT FURTHER RESOLVED, that the Department of Human Services, the Division of Juvenile Services, the Department of Public Instruction, and the Board of Higher Education provide such assistance and information to the Legislative Council as it may request in conducting the study; and

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

Filed March 24, 1993

CHAPTER 706

HOUSE CONCURRENT RESOLUTION NO. 3058
(Representatives Boucher, Bodine, Price, Rydell)
(Senators Holmberg, O'Connell)

BLIND SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the provision of services to blind and visually impaired children and adults.

WHEREAS, the state has a significant interest in ensuring that blind and visually impaired children and adults develop the ability to function as independently as possible; and

WHEREAS, children and adults who are blind or visually impaired require a continuum of educational, rehabilitative, and other services or assistance if they are to function independently; and

WHEREAS, it is the responsibility of the state to ensure that children and adults who are blind or visually impaired receive an appropriate continuum of services;

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

That the Legislative Council study the provision of services to blind and visually impaired children and adults, using the expertise of consumers or citizen members; and

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

Filed March 24, 1993

CHAPTER 707

HOUSE CONCURRENT RESOLUTION NO. 3059
(Representatives Maragos, Porter)

STATE AND LOCAL HOUSING AUTHORITIES STUDY

A concurrent resolution directing the Legislative Council to study state laws affecting the relationship between local housing authorities and the North Dakota Housing Finance Agency.

WHEREAS, providing dwelling accommodations for persons of low income in all areas of the state is a concern of the Legislative Assembly; and

WHEREAS, the Fifty-third Legislative Assembly considered and did not fully resolve the issues involved in state and local administration of federal housing programs; and

WHEREAS, careful examination of issues raised in consideration of the proper level of government for administration of certificates and vouchers under federal housing programs would best be accomplished by consideration during an interim study;

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

That the Legislative Council study state laws affecting the relationship between local housing authorities and the North Dakota Housing Finance Agency, with emphasis on determining the proper level of government for administration of certificates and vouchers under federal housing programs; and

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

Filed March 24, 1993

CHAPTER 708

HOUSE CONCURRENT RESOLUTION NO. 3060
(Representatives Maragos, Gulleason)

POLITICAL SUBDIVISION INVESTMENT STUDY

A concurrent resolution directing the Legislative Council to study authorized investments of political subdivision funds.

WHEREAS, state laws on depositories of public funds have been in place for 70 years or more and during that time the investment world has changed substantially; and

WHEREAS, the limitations of state law on depositories for funds of political subdivisions severely restrict the opportunity of political subdivisions to receive the highest safe return on investments; and

WHEREAS, determination of the current status of state law regarding depositories for funds of political subdivisions and analysis of the feasibility and desirability of allowing political subdivisions to make alternate investments that are reasonably free of risk could allow a much more beneficial use of public funds;

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

That the Legislative Council study deposit and investment restrictions in state law regarding funds of political subdivisions to determine the feasibility and desirability of allowing additional investments of political subdivision funds; and

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

Filed March 30, 1993

CHAPTER 709

HOUSE CONCURRENT RESOLUTION NO. 3061
(Representatives Kretschmar, Kroeber)

ANNUAL LEGISLATIVE SESSION STUDY

A concurrent resolution directing the Legislative Council to study and establish procedures necessary to implement annual sessions of the Legislative Assembly beginning in 1995 and 1996.

WHEREAS, in 1976 the Constitution of North Dakota was amended to allow the Legislative Assembly to meet in regular session for 80 natural days and to provide that days spent in regular session need not be consecutive; and

WHEREAS, after seven sessions of operating under the 80 natural day provision the Legislative Assembly requested the Legislative Council to study the legislative process during the 1989-90 interim, with emphasis on the appropriate use of the 80 natural days allowed for the Legislative Assembly to be in session; and

WHEREAS, during that study information was received on the South Dakota Legislature, which meets for a 40-day session in odd-numbered years and a 35-day session in even-numbered years, and the Wyoming Legislature, which meets for a 40-day general session in odd-numbered years and 20-day budget session in even-numbered years; and

WHEREAS, the complexities of governing the state require that the Legislative Assembly meet in annual session beginning in 1995 and 1996; and

WHEREAS, further legislative study is needed for the development of a specific procedure for an odd-numbered year session and an even-numbered year session;

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

That the Legislative Council study and establish procedures necessary to implement annual sessions of the Legislative Assembly beginning in 1995 and 1996; and

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

Filed March 24, 1993

CHAPTER 710

HOUSE CONCURRENT RESOLUTION NO. 3063
(Representative Kretschmar)

FORESIGHT STUDY

A concurrent resolution directing the Legislative Council to study alternatives for establishing mechanisms for facilitating long-term policy development and other foresight processes in North Dakota state and local government.

WHEREAS, the present economic and social transition created by technological change and global competition can provide North Dakota with opportunities to pursue a prosperous future with clarity of purpose; and

WHEREAS, in order to identify and take advantage of these opportunities, there is a need for foresight processes that permit long-term or "posterity" thinking by leaders and citizens to position North Dakota for anticipating and responding to issues and problems with forward-looking perspectives; and

WHEREAS, this foresight capacity can assist North Dakota leaders in better anticipating changes in the state's social, economic, and physical environment; help North Dakota leaders and managers make more informed and wiser decisions through careful deliberation; and enhance communication and cooperation among the three branches of state government, local government, and the public; and

WHEREAS, this foresight capacity may include processes and activities involved in public policy issue scanning, future research and analysis, long-range planning, and public participation and consensus building; and

WHEREAS, several states have taken diverse approaches in creating mechanisms for looking at government decisionmaking from a long-term perspective as a means for taking advantage of new opportunities, avoiding problems, and providing for continuity in public policy; and

WHEREAS, these efforts by other states include the creation of a long-term policy research center in Kentucky that serves both the executive and legislative branches of state government, and efforts such as the Oregon Benchmarks Process, the Minnesota Milestones Process, and Utah's Tomorrow Strategic Planning that involve the identification of measurable benchmarks or goals for the state's future; and

WHEREAS, the efforts of these states reflect the recognition of foresight processes as an important tool for public policy making which can serve to improve the way policy decisions are formulated and assessed by providing decisionmakers with a fuller background and broader context that considers the long-term implications of policies and critical emerging trends and issues that are likely to have a significant impact on the state and its citizens in the future;

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

That the Legislative Council study alternatives for establishing mechanisms for facilitating long-term policy development and other foresight processes in North Dakota state and local government; and

BE IT FURTHER RESOLVED, that the Legislative Council consider appointing citizen members to the interim committee that is assigned this study, including representatives of local government, the executive branch, higher education, the nonprofit sector, and the private sector to assist in generating ideas for incorporating foresight into decisionmaking; and

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

Filed March 30, 1993

CHAPTER 711

HOUSE CONCURRENT RESOLUTION NO. 3064
(Representative Kretschmar)

BOARD, COUNCIL, AND COMMISSION STUDY

A concurrent resolution directing the Legislative Council to study the membership, duties, and responsibilities of all statutory boards, councils, committees, and commissions.

WHEREAS, there are over 100 statutorily created boards, councils, committees, and commissions; and

WHEREAS, these boards, councils, committees, and commissions have varying requirements for membership selection and appointment, composition, and authority; and

WHEREAS, the duties and responsibilities of these various boards and commissions range from advisory to regulatory; and

WHEREAS, all boards, councils, committees, and commissions, whether merely advisory in nature or whether engaged in active regulation of any activity, should be responsive and receptive to the needs of the public;

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

That the Legislative Council study the membership, duties, and responsibilities of all boards, committees, commissions, and councils. The study should include consideration of whether any of the boards, councils, committees, and commissions have overlapping powers and duties, whether any boards, councils, committees, and commissions should be eliminated or consolidated, whether each board, council, committee, and commission presently performs the functions for which it was originally created, and whether the membership of each board, council, committee, and commission is responsive to the people of the state; and

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

Filed March 30, 1993

CHAPTER 712

HOUSE CONCURRENT RESOLUTION NO. 3065
(Representative Kretschmar)

REVENUE FORECASTING STUDY

A concurrent resolution directing the Legislative Council to study alternative administrative structures for forecasting state revenues.

WHEREAS, accurate forecasts of state revenues are of critical importance to a citizen legislature that must depend on its fiscal information to be valid for an extended period of time; and

WHEREAS, the Fifty-third Legislative Assembly considered, but did not adopt, legislation that would have established a revenue forecasting conference to determine official revenue forecasts for the state; and

WHEREAS, improved forecasting of revenues for the state would be a substantial benefit to the state and its political subdivisions and citizens;

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

That the Legislative Council study alternative administrative structures for forecasting state revenues; and

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

Filed March 30, 1993

CHAPTER 713

HOUSE CONCURRENT RESOLUTION NO. 3066
(Representative Kretschmar)

AIRCRAFT PRODUCTS LIABILITY STUDY

A concurrent resolution directing the Legislative Council to study products liability statutes as they relate to the aircraft industry.

WHEREAS, in 1979 this country's aviation industry manufactured and sold more than 17,000 aircraft but in 1992 the industry manufactured only 899 aircraft; and

WHEREAS, this decline in the aircraft industry has been attributed to product liability claims against aircraft manufacturers in the United States; and

WHEREAS, revision in product liability laws may encourage the return of aircraft manufacturers to the United States, and possibly to North Dakota;

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

That the Legislative Council study products liability statutes as they relate to the aircraft industry, with emphasis on improving the business climate in this state for the manufacture of small aircraft; and

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

Filed March 24, 1993

CHAPTER 714

HOUSE CONCURRENT RESOLUTION NO. 3069
(Representatives Ring, Maragos)
(Senators Maxson, W. Stenehjem)

CRIMINAL LAWS STUDY

A concurrent resolution directing the Legislative Council to study the substantive criminal laws of North Dakota.

WHEREAS, the criminal justice provisions and statutes of the state may not be adequately serving the needs of society in the areas of protection, the rehabilitation of convicted persons, or the prevention of criminal activity; and

WHEREAS, disparities and inequities in penalties, sentences, and sentencing procedures may cause disenchantment with the state's criminal justice system; and

WHEREAS, the system of criminal justice must be viewed as a comprehensive whole embracing every phase from crime prevention through correction and rehabilitation; and

WHEREAS, a revision of the substantive criminal laws of this state, with emphasis on classification of penalties, elimination of criminal provisions having little or no social utility, and consideration of substituting civil for criminal penalties when feasible, would be a large step toward maintaining a modern, comprehensive criminal justice system for the state;

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

That the Legislative Council study the substantive criminal laws of the state, or so much thereof as may reasonably be reviewed during the 1993-94 interim, with special emphasis on the penalty structure established by present law, including the classification of penalties and the elimination of duplicate penalties. The Legislative Council shall also study the feasibility and desirability of whether a complete revision of the criminal code is necessary to keep the criminal code current with the many changes taking place in the criminal justice system; and

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

Filed March 24, 1993

CHAPTER 715

HOUSE CONCURRENT RESOLUTION NO. 3072
(Representatives Kretschmar, Ring)
(Approved by the Delayed Bills Committee)

INDIAN GAMING - CHARITABLE GAMING STUDY

A concurrent resolution directing the Legislative Council to study charitable gaming laws and rules and the effects of Indian gaming on charitable gaming in this state.

WHEREAS, The growth of charitable gaming as an industry in this state requires the attention of the Legislative Assembly in each legislative session; and

WHEREAS, a thorough review of rules and laws governing charitable gaming by an interim committee is required to assure that rules and laws regarding taxes, enforcement, and limitations on charitable gaming are adequate to govern charitable gaming under current conditions; and

WHEREAS, the federal Indian Gaming Regulatory Act has resulted in an increase in the types of gaming permitted on tribal lands in this state; and

WHEREAS, the impact of Indian gaming operations on the charitable gaming industry is unknown;

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

That the Legislative Council study charitable gaming laws and rules to determine whether the laws and rules regarding taxation, enforcement, and limitations on charitable gaming are adequate and appropriate and the effects of Indian gaming on charitable gaming in this state; and

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

Filed April 28, 1993

CHAPTER 716

HOUSE CONCURRENT RESOLUTION NO. 3074
 (Employment Committee)
 (Approved by the Delayed Bills Committee)

POSTSESSION EMPLOYEES

A concurrent resolution authorizing the retention of certain employees of the House and Senate to allow for the completion of legislative work after the close of the session.

WHEREAS, it is necessary to complete and close work of the regular session of the Fifty-third Legislative Assembly; and

WHEREAS, certain legislative employees should be retained to complete and close this work;

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

That the following named positions may be retained by the House of Representatives and the Senate after the adjournment of the regular session:

HOUSE POSITIONS

Chief Clerk
 Assistant Chief Clerk
 Desk Reporter
 Bill Clerk
 Sergeant-at-Arms
 Assistant Sergeant-at-Arms
 Chief Page and Bill Book Clerk
 Assistant Chief Page and Bill Room Clerk
 Chief Stenographer and Payroll Clerk
 Bill and Journal Room Clerk
 Chief Committee Clerk
 Appropriations Committee Clerk
 Assistant Appropriations Committee Clerks
 Secretary to Speaker
 Secretary to Majority Leader
 Staff Assistant to Majority Leader
 Secretary to Minority Leader
 Staff Assistant to Minority Leader
 Desk Pages
 Chief Telephone Attendant

SENATE POSITIONS

Secretary of the Senate
 Assistant Secretary of the Senate
 Desk Reporter
 Bill Clerk

Sergeant-at-Arms
Deputy Sergeant-at-Arms
Chief Page and Bill Book Clerk
Pages
Chief Stenographer and Payroll Clerk
Stenographer
Chief Committee Clerk
Appropriations Committee Clerk
Industry, Business and Labor Committee Clerk
Education Committee Clerk
Judiciary Committee Clerk
Secretary to Majority Leader
Staff Assistant to Majority Leader
Secretary to Minority Leader
Staff Assistant to Minority Leader
Chief Bill and Journal Room Clerk
Journal Room Clerk
Supply Room Coordinator

BE IT FURTHER RESOLVED, that the above-listed House and Senate employees shall serve at the request of, and under the supervision of, the Chief Clerk of the House and the Secretary of the Senate, and that all of the listed employees, including the Chief Clerk of the House and the Secretary of the Senate, may not be employed for more than 200 days in the aggregate. The Chief Clerk of the House and the Secretary of the Senate shall assign work among the available House and Senate employees, respectively, in the appropriate manner. The Chief Clerk of the House and the Secretary of the Senate shall coordinate the work assignments in their respective houses in such a manner that the total number of days utilized does not exceed the aggregate limit on days authorized by this resolution. The Chief Clerk of the House and the Secretary of the Senate shall minimize the days spent in completion of legislative business to the extent consistent with the completion; and

BE IT FURTHER RESOLVED, that the employees in the the above-named positions be paid their regular rates of pay as specified in Senate Concurrent Resolution No. 4019 for work pursuant to this resolution, and all of these sums are to be paid out of the appropriation to the Fifty-third and Fifty-fourth Legislative Assemblies, and after completion of the work, provided that each above-listed employee must be paid on a pro rata basis if the total number of days exceeds the aggregate limit.

Filed April 27, 1993