
SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION "A"

(Forkner, Holand, Luick)
(From LRC Study)

LRC STUDY OF VEHICLE INSPECTION AND OTHER HIGHWAY SAFETY PROBLEMS

A concurrent resolution directing the Legislative Research Committee to carry out a comprehensive study of vehicle inspection and other related highway safety problems.

WHEREAS, highway accidents have been steadily increasing in the State of North Dakota, bringing higher tolls of highway fatalities with property losses totaling millions of dollars and causing immeasurable human suffering; and

WHEREAS, certain states which have enacted vehicle inspection statutes for the purpose of ensuring that only safe vehicles are operated upon highways, roads, and streets; and

WHEREAS, the Federal Highway Safety Act of 1966 requires efforts in this area if the State of North Dakota is to continue to receive their full share of federal highway funds and funds to be made available under the Highway Safety Act of 1966; and

WHEREAS, the state highway department and certain traffic safety organizations are available to provide information and assistance in studying the prevention of accidents and problems of highway safety;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee, with the cooperation of the State Highway Department and State Highway Patrol, carry on a comprehensive study of vehicle inspection and other highway safety problems in the State of North Dakota and which committee shall report its recommendations to the Forty-first Legislative Assembly, together with suitable legislation to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "B"

(Lips, Torgerson, Morgan, Meschke)

ADDRESS OF JOHN E. DAVIS

A concurrent resolution extending an invitation to the Honorable John E. Davis, National Commander of the American Legion, to address a joint session of the Fortieth Legislative Assembly of the State of North Dakota.

WHEREAS, the State of North Dakota is honored to have a citizen of this state chosen as the National Commander of the American Legion; and

WHEREAS, the Honorable John E. Davis has also served this state with distinction as its Governor and as a member of the North Dakota Senate; and

WHEREAS, Commander Davis has just returned from extensive travels in Southeast Asia and particularly South Vietnam;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That John E. Davis, National Commander of the American Legion and former Governor and State Senator of this great State, is hereby extended an invitation to appear before and address a joint session of the Fortieth Legislative Assembly of the State of North Dakota at 3:00 p.m. on Tuesday, January 10, 1967.

Filed January 9, 1967.

SENATE CONCURRENT RESOLUTION "C"

(Stafne, Longmire, Ringsak, Litten, Larson(32), Lowe)

LRC HOME RULE STUDY

A concurrent resolution directing the Legislative Research Committee to study and determine those powers and rights to be granted to home rule cities as presently authorized under section 130 of the State Constitution.

WHEREAS, the electors of this State approved a constitutional amendment which authorizes the legislative assembly to grant home rule powers to the state's municipalities; and

WHEREAS, there are a multitude of powers relating to taxing, bonding, police powers, business regulations, governmen-

tal operations, and other related subject matters which could be granted to home rule cities under the constitutional amendment; and

WHEREAS, the legislative assembly may classify those municipalities which can adopt home rule; and

WHEREAS, the determination of all of these problems requires a detailed and thoughtful study so as to ensure a workable and beneficial home rule law for the municipalities and the state regarding those powers to be granted to home rule municipalities;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to make a comprehensive study of classes of cities which might benefit from home rule, powers to be granted, methods of adopting home rule charters, and all other related matters regarding the granting of home rule powers to the municipalities of this State by the legislative assembly; and

Be It Further Resolved, that the Legislative Research Committee make its report and recommendations thereon to the Forty-first Legislative Assembly, together with any legislation required to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "D"

(Lips, Meschke)

BROADCASTERS' DAY

A concurrent resolution extending an invitation to Vincent T. Wasilewski, President of the National Association of Broadcasters, to address a joint session of the Fortieth Legislative Assembly of the State of North Dakota.

WHEREAS, the Honorable Vincent T. Wasilewski, President of the National Association of Broadcasters, has distinguished himself through service in the armed forces, in the profession of law, and as an officer of the National Association of Broadcasters; and

WHEREAS, through the courtesy of the North Dakota Association of Broadcasters, arrangements have been made for the presence of Mr. Wasilewski for the purpose of addressing the North Dakota Legislative Assembly;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That Wednesday, January 11, 1967, is hereby designated "Broadcasters' Day", and that Mr. Vincent T. Wasilewski, president of the National Association of Broadcasters, is hereby extended an invitation to appear before and address a joint session of the Fortieth Legislative Assembly of the State of North Dakota at 1:45 p.m. on such day.

Filed January 9, 1967.

SENATE CONCURRENT RESOLUTION "E"

(Becker)

COMMENDATION OF GERALD L. STAIR

A concurrent resolution commending Gerald L. Stair for his service to the Legislative Assembly of the State of North Dakota.

WHEREAS, in 1943, a young man from Bottineau County journeyed to Bismarck, North Dakota, to the Twenty-eighth Legislative Assembly with his father the Honorable Arlen Stair, Representative from Bottineau County; and

WHEREAS, at this session Gerald L. Stair, was employed as "telephone girl" for the Senate, and performed such duty with the utmost speed and efficiency; and,

WHEREAS, thereafter the said Gerald L. Stair served as page in the Senate for four sessions; in 1955 as Assistant Chief Clerk of the House; in 1957 was elected Chief Clerk of the House and served in such position until 1965 when he was elected Secretary of the North Dakota Senate; and,

WHEREAS, the said Gerald L. Stair has served in all of the above positions with distinction and honor and has demonstrated his ability as an outstanding parliamentarian and student of the legislative process;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

Commend the said Gerald L. Stair for his diligence and express its sincere appreciation for the many years of efficient and outstanding service to the Legislature and the citizens of this State.

Filed January 9, 1967.

SENATE CONCURRENT RESOLUTION "F"

(Longmire)

NEWSPAPERMEN'S DAY

A concurrent resolution for the purpose of designating February 3, 1967, as Newspapermen's Day at the state legislative assembly, and inviting Mr. Stanley M. Swinton to address the joint meeting of newspapermen and legislators.

WHEREAS, the editors and reporters of North Dakota daily and weekly newspapers are in active partnership with the Senators and Representatives of this State in the task of keeping citizens informed about their government; and

WHEREAS, Mr. Stanley M. Swinton, Assistant General Manager and Director of World Service for the Associated Press, and widely known for his extensive world travels, will be able to attend a joint meeting of newspapermen and legislators on February 3, 1967;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Senate and the House of Representatives of the State of North Dakota, individually and collectively, invite the newspapermen of their respective districts to spend the day of February 3, 1967, at the state capitol as our guests, to witness at firsthand, the legislative process; and

Be It Further Resolved, that the Senate and the House of Representatives of the State of North Dakota join in the invitation to Mr. Stanley M. Swinton, Assistant General Manager and Director of World Services for the Associated Press, to address the joint meeting of newspapermen and legislators.

Filed January 11, 1967.

SENATE CONCURRENT RESOLUTION "H"

(All Senators of the Fortieth Legislative Assembly)

RECOGNITION OF LAWRENCE WELK

A concurrent resolution recognizing North Dakota's favorite son, Mr. Lawrence Welk.

WHEREAS, on January 7, 1967, the state of North Dakota was once again honored on the ever-popular and famous Lawrence Welk television program; and

WHEREAS, Lawrence Welk is not only a native son of this great state but has become its favorite son; and

WHEREAS, Lawrence Welk reflects credit upon the State of North Dakota in bringing fame to himself; and

WHEREAS, Lawrence Welk has continually during his illustrious career paid tribute to the State of North Dakota;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly of the State of North Dakota, representing the people of North Dakota, does hereby congratulate and thank Lawrence Welk for the sincere love that he has shown for his native State, and it is the desire of this body that he accept this resolution as a token of admiration and warm affection which the people of North Dakota have for him; and

Be It Further Resolved, that a duly enrolled copy of this resolution be forwarded by the Secretary of State to Lawrence Welk, North Dakota's favorite son.

Filed January 21, 1967.

SENATE CONCURRENT RESOLUTION "I"

(Morgan, Ringsak)

USE OF YELLOW CENTERLINES

A concurrent resolution urging the Bureau of Public Roads to adopt standards allowing the use of yellow centerlines in the northern states.

WHEREAS, the Bureau of Public Roads, a division of the United States Department of Commerce, has established standards for traffic control devices on Federal aid highways prescribing that centerlines on Federal roadways shall be white; and

WHEREAS, white centerlines, while satisfactory for use on highways of many of our southern states, have proved to be extremely difficult to see during the colder seasons of the year in North Dakota and other northern states because of the accumulation of ice and snow on the highways; and

WHEREAS, the use of yellow centerlines would be much easier than white centerlines to see and distinguish in the winter seasons and equally as easy to distinguish during the warmer seasons of the year;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the United States Department of Commerce, and specifically the Bureau of Public Roads, is hereby urged to adopt standards which would permit the northern states to use yellow centerlines on Federal highways; and

Be It Further Resolved, that copies of this resolution be forwarded to the Federal Highway Administrator and to each member of the North Dakota congressional delegation.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "K"

(Lips, Meschke)

COMMENDATION OF SECRETARY OF STATE BEN MEIER

A concurrent resolution commending Secretary of State Ben Meier upon his election as president of the National Association of Secretaries of State.

WHEREAS, Secretary of State Ben Meier has been elected president of the National Association of Secretaries of State; and

WHEREAS, the selection of North Dakota's Secretary of State by his national colleagues to head their national organization reflects substantial credit upon him, and is a matter in which the citizens of the state take great pride;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly takes great pleasure in commending Secretary of State Meier upon his election as president of his national organization; and

Be It Further Resolved, that copies of this resolution be forwarded by the Secretary of the Senate to Secretary of State Ben Meier.

Filed January 25, 1967.

SENATE CONCURRENT RESOLUTION "L"

(Lips, Meschke)

COMMENDATION OF GOVERNOR WILLIAM L. GUY

A concurrent resolution commending Governor William L. Guy upon his election as chairman of the National Governors' Conference.

WHEREAS, Governor William L. Guy has been elected chairman of the National Governor's Conference; and

WHEREAS, the selection of North Dakota's Governor by his national colleagues to head their organization reflects substantial credit upon him, and is a matter in which the citizens of the State take great pride;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly takes great pleasure in commending Governor Guy upon his election as chairman of his national organization; and

Be It Further Resolved, that copies of this resolution be forwarded by the Secretary of the Senate to Governor William L. Guy.

Filed January 25, 1967.

SENATE CONCURRENT RESOLUTION "M"

(Larson)

EROSION CONTROL AND BANK STABILIZATION ON
MISSOURI RIVER, NORTH DAKOTA

A concurrent resolution urging the Corps of Engineers to construct and maintain at Federal expense additional bank stabilization works on the Missouri River, North Dakota.

WHEREAS, as a part of the Missouri River Basin Development Project, dams and large reservoirs have been constructed by the Federal Government which occupy all of the reach of the Missouri River extending from Gavins Point Dam in South Dakota to Williston, North Dakota, with the lone exception of a 70-mile stretch between the Oahe and Garrison Reservoirs in North Dakota; and

WHEREAS, the remaining channel between the Oahe Reservoir and Garrison Dam no longer performs its function as a

natural river but is now acting as a regulated channel for the conveyance of water needed to meet the requirements of flood control, irrigation, navigation, power generation, municipal and industrial water supplies, pollution control, recreation, and wildlife purposes; and

WHEREAS, the stored water in the Garrison Reservoir is released in such manner as to accommodate the downstream beneficiaries—case in point:

1. The water is virtually silt-free when it enters the channel and has tremendous ability to pick up its former bedload in the form of silt;
2. The releases are fluctuated to accommodate the hydroelectric generation demand with variations from 4,000 to 32,000 cfs thereby causing surging conditions which aggravate any existing erosion problem and is causing an annual loss of approximately 640 acres of valuable agricultural bottom lands; and

WHEREAS, a portion of this threatened land is now being irrigated or has an irrigation potential which is of great economic value to the localities in which it is located and to the State of North Dakota as well; and

WHEREAS, Federal lands and public parks are a part of the area affected; and

WHEREAS, some bank stabilization works have been constructed by the Federal Government but the State and affected local entities have been required to obligate themselves for the cost of maintenance and operation of the improvements; and

WHEREAS, the State of North Dakota can ill afford to assume the maintenance cost of this channel which principally serves and is used by downstream interests;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly of the State of North Dakota recommends and respectfully urges the Congress to direct and authorize the United States Army Corps of Engineers to construct and assume, at Federal expense, the operation and maintenance of any additional structures needed to stabilize the banks of the aforesaid segment of the Missouri River; and

Be It Further Resolved, that copies of this resolution be transmitted by the Secretary of State to the members of the

North Dakota congressional delegation; Chief of Engineers, Department of the Army, Washington, D.C.; Division Engineer, Missouri River Diversion, Corps of Engineers, Omaha, Nebraska; District Engineer, Corps of Engineers, Omaha, Nebraska; and Area Engineer, Corps of Engineers, Riverdale, North Dakota.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "R"

(Meschke, Lips)

RED-SOURIS-RAINY RIVER BASINS COMMISSION

A concurrent resolution endorsing the establishment by the President of the Red-Souris-Rainy River Basins Commission, authorizing appointment of the State member thereof and fixing his compensation, and pledging State support thereto.

WHEREAS, the Congress of the United States enacted the Water Resources Planning Act, approved July 22, 1965 (Public Law 89-80, 79 Stat. 246), and—

"In order to meet the rapidly expanding demands for water throughout the nation . . . declared it to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned"; and

WHEREAS, the said Act provided that nothing therein shall be construed—

"to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control . . ."; and

WHEREAS, on October 30, 1965, Governor William L. Guy of North Dakota, with the concurrence of Governor Karl F. Rolvaag of Minnesota, addressed a request to the Water Resources Council for the creation of a river basin water and related land resources commission, embracing the Red River of the North Drainage Basin, lying within the boundaries of the States of Minnesota, North Dakota, and South Dakota, under and pursuant to the authority and provisions of Title II of the aforesaid Act (Public Law 89-80); and

WHEREAS, at the suggestion and recommendation of the Water Resources Council, concurred in by the applicants, the area has been expanded by the addition thereto of the Souris and Rainy River Basins; and

WHEREAS, it is anticipated that the President of the United States, Lyndon B. Johnson, soon will declare the establishment of the Red-Souris-Rainy River Basins Commission, encompassing their drainage areas within said States of Minnesota, North Dakota, South Dakota, and a minuscule area in Montana; and

WHEREAS, the purpose, responsibility, and function of such commission would be to:

"1. Serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

"2. Prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources; provided, that the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

"3. Recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

"4. Foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause 2 of this subsection";

provided, however, that nothing in said Act shall be construed—

"As authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission"; and

WHEREAS, the appointment of a commission member from each state shall be in accordance with the laws of the state which he represents, and in the absence of governing provisions therefor such state member shall be appointed by and

serve at the pleasure of the Governor, and shall receive such compensation as may be provided by the state; and

WHEREAS, section 207(a) of said Act provides—

“Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission’s expenses shall be otherwise apportioned as the commission may determine . . .”;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly of the State of North Dakota does hereby—

1. Concur in the policy of Congress declared in said Public Law 89-80;

2. Construe said Act as in no manner or form endorsing the concept of a so-called Federal Regional Valley Authority;

3. Commend Governor Guy for promptly initiating a request for the establishment of a Red River Basin Commission;

4. Concur in the purpose and objective of the proposed commission;

5. Concur in the appointment of the state member by and to serve at the pleasure of the Governor;

6. Pledge its full support to enable the proposed commission to carry out its functions by implementation thereof through adequate appropriations, required participation, and necessary cooperation; and

7. Direct and authorize the head of each state department or independent agency, determined by the State member to have a substantial interest in the work to be undertaken by the proposed commission, upon request therefor of such member a. to furnish to him such information as may be necessary for carrying out his work and as may be available to or procurable by such department or agency, and b. to detail to temporary duty with such proposed commission on a reimbursable basis such personnel within his administrative jurisdiction as may be needed or believed to be useful for the intended purposes, each such detail to be without loss of seniority, pay, fringe benefits, or other employee status; and

Be It Further Resolved, that the Secretary of State transmit copies of this resolution to Honorable Harold LeVander, Governor of Minnesota, St. Paul; Honorable Nils A. Boe, Governor of South Dakota, Pierre; Honorable Tim M. Babcock, Governor of Montana, Helena; Honorable Ross Thatcher, Prime Minister of Saskatchewan, Regina; Honorable Duff Roblin, Prime Minister of Manitoba, Winnipeg; Honorable John P. Roberts, Prime Minister of Ontario, Toronto; Honorable A. D. P. Heeneey, Chairman Canadian Section, International Joint Commission, Ottawa, Ontario; Honorable Matthew E. Welsch, Chairman, United States Section, International Joint Commission, Washington, D.C. 20440; Honorable Stewart L. Udall, Chairman, and Honorable Henry P. Caulfield, Jr., Executive Director, Water Resources Council, Washington, D.C. 20005; Division Engineer, North Central Division, Corps of Engineers, 536 South Clark Street, Chicago, Illinois 60605; District Engineer, Corps of Engineers, 1217 U.S. Post Office and Custom House, St. Paul, Minnesota 55101; Senators Milton R. Young and Quentin N. Burdick and Representatives Mark Andrews and Thomas S. Kleppe, Washington, D.C.; and Governor William L. Guy.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "S"

(Meschke, Lips)

MISSOURI RIVER BASIN COMMISSION

A concurrent resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the State member thereof and fixing his compensation, and pledging State support thereto.

WHEREAS, the Congress of the United States enacted the Water Resources Planning Act, approved July 22, 1965 (Public Law 89-80, 79 Stat. 246), and—

"In order to meet the rapidly expanding demands for water throughout the nation . . . declared it to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned"; and

WHEREAS, the said Act provided that nothing therein shall be construed—

“to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control . . .”; and

WHEREAS, on May 31, 1966, Governor William L. Guy of North Dakota, addressed a request to the Water Resources Council for the creation of a river basin water and related land resources commission, embracing the Missouri River Drainage Basin lying within the boundaries of the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota and Wyoming, under and pursuant to the authority and provisions of Title II of said Act, with which request some of the governors of the affected States have indicated concurrence; and

WHEREAS, when the required number of the basin states have concurred, it is anticipated that the President of the United States will declare the establishment of the Missouri River Basin Commission, encompassing the drainage area within the States aforesaid; and

WHEREAS, the purpose, responsibility, and function of such commission would be to:

“1. Serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

“2. Prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources; provided, that the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

“3. Recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

“4. Foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in preparation of the plan described in clause 2. of this subsection”;

provided, however, that nothing in said Act shall be construed—

“as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission”; and

WHEREAS, the appointment of a commission member from each state shall be in accordance with the laws of the State which he represents, and in the absence of governing provisions therefor such state member shall be appointed by and serve at the pleasure of the Governor, and shall receive such compensation as may be provided by the State; and

WHEREAS, section 207(a) of said Act provides—

“Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission’s expenses shall be otherwise apportioned as the commission may determine . . .”;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly of the State of North Dakota does hereby—

1. Concur in the policy of Congress declared in said Public Law 89-80;
2. Construe said Act as in no manner or form endorsing the concept of a so-called Federal Regional Valley Authority;
3. Commend Governor Guy for initiating a request for the establishment of a Missouri River Basin Commission;
4. Concur in the purpose and objective of the proposed commission;
5. Encourage and urge the Governors of the Missouri River Basin States who have not yet concurred in Governor Guy’s request to promptly provide the Water Resources Council with their concurrences therein;
6. Concur in the appointment of the State member by and to serve at the pleasure of the Governor;
7. Pledge its full support to enable the proposed commission to carry out its functions by implementation thereof through adequate appropriations, required participating, and necessary cooperation; and

8. Direct and authorize the head of each state department or independent agency, determined by the State member to have a substantial interest in the work to be undertaken by the proposed commission, upon request of such member therefor (a) to furnish to him such information as may be necessary for carrying out his work and as may be available to or procurable by such department or agency, and (b) to detail to temporary duty with such proposed commission on a reimbursable basis such personnel within his administrative jurisdiction as may be needed or believed to be useful for the intended purposes, each such detail to be without loss of seniority, pay, fringe benefits, or other employee status; and

Be It Further Resolved, that the Secretary of State transmit copies of this resolution to Honorable John A. Love, Governor of Colorado, Denver; Honorable Harold E. Hughes, Governor of Iowa, Des Moines; Honorable Robert Docking, Governor of Kansas, Topeka; Honorable Harold LeVander, Governor of Minnesota, St. Paul; Honorable Warren E. Hearnes, Governor of Missouri, Jefferson City; Honorable Tim M. Babcock, Governor of Montana, Helena; Honorable Norbert A. Tiemann, Governor of Nebraska, Lincoln; Honorable William L. Guy, Governor of North Dakota, Bismarck; Honorable Nils A. Boe, Governor of South Dakota, Pierre; Honorable Stanley Hathaway, Governor of Wyoming, Cheyenne; Honorable Stewart L. Udall, Chairman, and Honorable Henry P. Caulfield, Jr., Executive Director, Water Resources Council, Washington, D.C. 20005; Division Engineer, Missouri River Division, Corps of Engineers, 215 North 17th Street, Omaha, Nebraska 68102; District Engineer, Corps of Engineers, 6012 U.S. Post Office and Custom House, Omaha, Nebraska 68102; Senators Milton R. Young and Quentin N. Burdick and Representatives Mark Andrews and Thomas S. Kleppe, Washington, D.C.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "T"

(Longmire, Larsen (Grand Forks), Lowe)

APPRECIATION TO CHESTER FRITZ

A concurrent resolution expressing appreciation to Chester Fritz for his gifts to the University of North Dakota and for the benefit of the people of his native State.

WHEREAS, through the generous gift of Chester Fritz the sum of one million dollars has been made available toward the construction of a new auditorium at the University of North Dakota; and

WHEREAS, Chester Fritz has previously given one million dollars for the construction of the Chester Fritz Library now serving thousands of students and citizens of North Dakota every day; and

WHEREAS, Chester Fritz has generously endowed the Chester Fritz scholarships enabling worthy boys and girls to continue with their college education through the financial help of such scholarships and his other benefactions;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That on behalf of the people of the State of North Dakota, we express our thanks and appreciation for all the generosity and foresight of Mr. Fritz for gifts that make North Dakota a greater State and enhance the cultural and educational opportunities of its people, and especially for his most recent significant contribution that will make possible an auditorium, which will become a cultural center to improve the quality of life enjoyed by University students and by citizens of the State and, moreover, we commend the State Board of Higher Education for its support for this extension of the cultural life of the area and for its decision to name the new center THE CHESTER FRITZ AUDITORIUM, thus perpetuating the name, generosity, and foresight of the donor; and

Be It Further Resolved, that copies of this resolution be forwarded by the Secretary of State to Chester Fritz.

Filed February 3, 1967.

SENATE CONCURRENT RESOLUTION "U"

(Longmire, Larsen (Grand Forks), Lowe)

APPRECIATION TO DR. MAXWELL M. UPSON

A concurrent resolution expressing appreciation to Dr. Maxwell M. Upson for the contribution toward the construction of a new engineering building on the campus of the University of North Dakota.

WHEREAS, through the generous gift of Dr. Maxwell M. Upson the sum of four hundred thousand dollars has been offered to be used toward the construction of an engineering building on the campus of the University of North Dakota, provided this amount can be matched by March 1; and

WHEREAS, Dr. Upson also endowed the Maxwell M. Upson scholarships providing sixteen scholarships of five hundred dollars each for each year in perpetuity, thus enabling many worthy young North Dakotans to continue with their education when financial circumstances might otherwise have made this impossible; and

WHEREAS, Dr. Maxwell M. Upson also endowed the Maxwell M. Upson Lectureship which provides outstanding and distinguished lecturers for the University community and general public each year;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That on behalf of the people of the State of North Dakota we express our thanks and appreciation for the generosity and foresight of Dr. Upson in making this significant contribution to his Alma Mater, and we commend the State Board of Higher Education for its efforts to secure the necessary matching funds and for naming the proposed new building THE MAXWELL M. UPSON HALL, to perpetuate the name, generosity, and foresight of the donor.

Be It Further Resolved, that a copy of this resolution be forwarded to Dr. Maxwell M. Upson by the secretary of state.

Filed February 3, 1967.

SENATE CONCURRENT RESOLUTION "W"

(Wilhite)

IMPORT OF CRUDE OIL

A concurrent resolution relating to the import of crude oil and the determination of available supplies for national defense purposes.

WHEREAS, it is recognized by the government of the United States and all responsible parties that a firm reliable domestic source of crude oil is essential for our national defense; and

WHEREAS, United States import policies have recognized that in the event of a national emergency crude oil supplies on the North American Continent are a more reliable source of supply than those located in Venezuela or far-off Saudi Arabia and consequently unlimited overland import of crude oil has been permitted from Canada and Mexico; and

WHEREAS, the Dominion of Canada exports in excess of 375,000 barrels of crude oil each day to the United States and imports in excess of 440,000 barrels from overseas for its own domestic needs, thereby leaving Canada with a net exportable deficit of 65,000 barrels per day; and

WHEREAS, it must be recognized that a national emergency would in all probability cut off the source of crude oil imports to Canada, thereby forcing the Canadian government in its national interest to make up at least a portion of the crude oil deficit by retaining all of its domestic crude oil supply that it presently exports to the United States;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the legislative assembly urge the government of the United States to permit the import by overland routes from any other country only to the amount such country's crude oil production exceeds its domestic consumption; and then only if such country is relying solely on overland crude for supplying its own domestic needs, thereby assuring the development of domestic supplies of crude oil to meet the requirements of the United States in a national emergency; and

Be It Further Resolved, that copies of this resolution be forwarded by the Secretary of State to the United States Secretary of Interior, the United States Secretary of State, the United States Secretary of Defense, and each member of the North Dakota congressional delegation.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "Z"

(Chesrown, Hernet, Ruemmele, Ringsak, Roen, Morgan, Nasset)

CONSTRUCTION OF BRIDGE OVER OAHE RESERVOIR

A concurrent resolution requesting the United States Congress to authorize and provide funds for the construction of a bridge over the Oahe Reservoir segment of the Missouri River.

WHEREAS, residents of, and travelers through, the south central portion of the State of North Dakota and the north central portion of South Dakota, since the late 1800's relied upon ferry service in crossing the Missouri River, principally in the vicinity of Fort Yates; and

WHEREAS, this vast area of the two Dakotas lying between existing crossings at Bismarck, North Dakota, and Mobridge, South Dakota, a distance of over one hundred ten river miles and nearly one hundred air miles, has now been bisected by the Oahe Reservoir, making ferry boat crossings impractical, resulting in near isolation of two areas which have rich agricultural and ranching lands; and

WHEREAS, the economic, social and recreational development of this immediate area and many miles beyond, would be greatly enhanced by the restoration and improvement of means of travel and communication in the vicinity of Fort Yates; and

WHEREAS, a modern bridge crossing of the Oahe Reservoir at Fort Yates is needed by those engaged in agricultural activities and would provide a stabilization of the area's economy by increasing the potential for industrial development, tourism and recreational usage of areas endowed with great natural beauty, which will otherwise lie dormant; and

WHEREAS, the providing of an adequate crossing at Fort Yates will eliminate the present isolation of the Standing Rock Indian Reservation and be an important contributing factor in the progress toward a program encompassing industrial, housing, educational, health and social development within such Reservation; and

WHEREAS, such crossing would be conducive to the generation of traffic from broad adjacent areas and encourage the development of interstate highway routes, including the historical Lewis and Clark Trail, which are presently deterred in part by the circuitous perimeter routes between Bismarck, North Dakota, and Mobridge, South Dakota;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly of the State of North Dakota does hereby request and urge the United States Congress to authorize the construction of a highway bridge over the Oahe Reservoir at such place as it is deemed feasible near Fort Yates, North Dakota, and to appropriate the necessary funds to carry out such authorization; and

Be It Further Resolved, that copies of this resolution be forwarded by the Secretary of State to members of the United States Senate and House of Representatives from the States of North Dakota and South Dakota and to the Secretary of the Army and Secretary of the Interior.

Filed February 20, 1967.

SENATE CONCURRENT RESOLUTION "AA"

(Committee on Education)

UNIVERSITY BUILDINGS DESIGNED FOR HANDICAPPED

A concurrent resolution urging the State Board of Higher Education, the Commissioner of Higher Education, and the President of the University of North Dakota to consider the needs of the handicapped in the educational programs of the university and in planning additional building facilities.

WHEREAS, the University of North Dakota at Grand Forks presently has at its disposal the vocational rehabilitation agency and the rehabilitation unit at the medical center to attend to and provide for the physical and psychological needs of handicapped students; and

WHEREAS, handicapped students from the State of North Dakota attend colleges throughout the United States through funds provided by the vocational rehabilitation programs of North Dakota, and it would appear both economically desirable and in the interests of such students for the handicapped students to obtain their education in North Dakota; and

WHEREAS, a state must develop its richest resources, the citizens of such state, to reach its full potential, and an exceptional mind in a less than perfect body should not be denied development strictly because of facilities not particularly designed for handicapped persons or because of architectural barriers; and

WHEREAS, if the good mind in a damaged body is provided the advantages of an education at an institution of higher learning, such a superior and creative person will become an asset to the state and its citizens;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the State Board of Higher Education, and the Commissioner of Higher Education, and the President of the University of North Dakota be urged to provide for a program whereby classrooms and dormitory facilities be made available to handicapped students so that such students might have easy access to such classrooms and dormitories and that all efforts be made to schedule classes for handicapped students in rooms on the lower level of buildings or that methods for the instruction of such students, such as educational television and intercom systems, be used where possible; and

Be It Further Resolved, that in planning the construction of buildings for institutions of higher learning, consideration be given by the Board of Higher Education and the presidents of the various institutions of higher learning in this State for the provision of adequate facilities for the handicapped and the elimination of architectural barriers which normally inhibit the free movement of handicapped persons.

Filed March 3, 1967.

SENATE CONCURRENT RESOLUTION "BB"

(Meschke, Lips)

SAINT LAWRENCE SEAWAY TOLLS

A concurrent resolution urging the Congress of the United States not to increase the tariff or tolls on the Saint Lawrence Seaway.

WHEREAS, North Dakota is the number one cash grain state in the nation and is more sensitive to freight rate increases than states nearer to ports or centers of consumption; and

WHEREAS, North Dakota leads in the production of hard spring wheat, including durum, flaxseed and barley and these grains move through various ports of export, two of the most important being Duluth, Minnesota, and Superior, Wisconsin; and

WHEREAS, there have been tremendous increases in the volume of tonnage hauled on the Great Lakes with vast

increases in toll revenues, and increased tolls will tend to a decrease rather than an increase tonnage; and

WHEREAS, competition from the Saint Lawrence Seaway has helped to make other modes of transportation more reasonable in their charges that affect North Dakota; and

WHEREAS, there is every indication that with a little encouragement, even with the present toll charges, the Seaway would become self-supporting within a few years, and pay off all past due costs, such as interest; and

WHEREAS, no other major waterway in the United States has toll charges;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Assembly of the State of North Dakota hereby respectfully requests the Congress of the United States to take the steps necessary to eliminate the toll charges on the Saint Lawrence Seaway completely, or to reduce the toll charges, but in no event to permit increased toll charges to jeopardize this vital transportation artery so necessary to the economic life of North Dakota.

Be It Further Resolved, that the Secretary of State forward copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President pro tem of the United States Senate and the appropriate committees of the United States House and the United States Senate.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "FF"

(Morgan, Luick)

ANTELOPE CREEK, A TRIBUTARY OF WILD RICE RIVER,
IN RED RIVER OF THE NORTH BASIN, NORTH DAKOTA

A concurrent resolution supporting needed channel improvements in and related to Antelope Creek west and north of Wahpeton, North Dakota, and urging the Corps of Engineers to expedite completion of its investigation and the formulation of a report thereon.

WHEREAS, serious and recurrent flood problems within and adjacent to the Antelope Creek watershed in Richland County, North Dakota, have increased to the point of seriously impairing the productive yield of many acres of prime agricultural land; and

WHEREAS, the St. Paul District Corps of United States Army Engineers has funds available for the current fiscal year to permit the initiation of an interim study of the flood and watershed problems along and in the area of the Antelope Creek, North Dakota; and

WHEREAS, the nature and scope of these problems related to the current study by the Corps of Engineers of the entire basin of the Red River of the North are most clearly understood by that agency;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislative Assembly of the State of North Dakota does hereby express its keen interest in and endorsement of the interim study undertaken and conducted by the St. Paul District of the United States Army Corps of Engineers, and urges that agency to complete its investigation as soon as possible in the hope that adequate flood protection may be made possible within the Antelope Creek area compatible with the aims of the Corps in the overall study of the Red River of the North basin; and

Be It Further Resolved that a copy of this resolution be transmitted by the Secretary of State to Colonel Richard J. Hesse, District Engineer, Corps of Engineers, 1217 United States Post Office and Custom House, St. Paul, Minnesota 55101; Brig. General Roy T. Dodge, North Central Division Engineer, Corps of Engineers, 536 South Clark Street, Chicago, Illinois 60605; Lt. General William F. Cassidy, Chief of Engineers, Department of the Army, Washington, D.C. 20060; United States Senators Milton R. Young and Quentin N. Burdick, United States Representatives Mark Andrews and Thomas S. Kleppe, Washington, D.C.; and Governor William L. Guy.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "GG"

(Torgerson, Lips, Meschke)

COMMENDATION OF JACK WILLIAMS

A concurrent resolution commending Mr. Jack Williams, Department Adjutant of the North Dakota American Legion, and making him an honorary member of the Fortieth Legislative Assembly, and declaring February 6, 1967, as American Legion Day in the State of North Dakota.

WHEREAS, Jack Williams, Department Adjutant of the North Dakota American Legion, has been hospitalized since October 14, 1966; and

WHEREAS, he was one of the founding fathers of the National American Legion which was founded in 1919 and is the only Department Adjutant in the American Legion who has continually served in such position since the founding of the American Legion; and

WHEREAS, he was instrumental in establishing the National American Legion Junior Baseball Program in 1925, instituted such program in the State of North Dakota in 1928, and became the North Dakota American Legion's first Department Athletic Officer, and for such services the city of Fargo in paying tribute to Mr. Williams has named a new athletic field "American Legion Jack Williams Stadium" in honor of Mr. Williams; and

WHEREAS, Mr. Williams has received many awards from national, state, and other organizations honoring and commending him for his dedicated service to citizens of the United States and this State, such as the Distinguished Service Medal of the State of North Dakota; and

WHEREAS, he has attended each legislative session of the State of North Dakota since 1919 except in 1953 when he was also ill;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That Mr. Jack Williams is hereby declared to be an honorary member of the Fortieth Legislative Assembly and that in recognition of his dedicated services to this State and in honor of The American Legion, it is hereby declared that February 6, 1967, is North Dakota American Legion Day; and

Be It Further Resolved, that an enrolled copy of this resolution be forwarded to Mr. Jack Williams by the Secretary of State:

Filed February 20, 1967.

SENATE CONCURRENT RESOLUTION "II"

(Hofstrand, Morgan, Rait, Kelly(15), Becker, Christensen,
(Pyle, Trenbeath, Schultz, Torgerson)

WETLAND ACQUISITION AND DEVELOPMENT OF
NATURAL RESOURCES

A concurrent resolution relating to wetland acquisition and the development of natural resources on privately owned lands.

WHEREAS, agriculture produces approximately eighty percent of North Dakota's new wealth; and

WHEREAS, legislation affecting agriculture has a major effect on the entire economy of the State; and

WHEREAS, all North Dakotans are concerned with and interested in the full development of its natural resources; and

WHEREAS, the optimum development of the natural resources of the State can best be accomplished when the needs of all segments of the State's economy are simultaneously considered as to the impact of one segment upon the other; and

WHEREAS, the purchasing or leasing of lands for wildlife conservation or propagation without full consideration of associated water and land development practices, to accomplish a maximum water and land management program, will not result in the most economical and beneficial utilization of the lands; and

WHEREAS, the alternative of utilizing available funds for the development of improved water and land management programs for wildlife conservation and propagation on privately owned lands, as against the purchasing and leasing of these lands, needs to be given full consideration; and

WHEREAS, the lack of drainage has resulted in serious economic losses to many communities and farmers, as a result of extensive and repeated flood damage to privately owned cropland, and has resulted in unnecessary delays in the maintenance, improvement, and renovation of existing drainageways; and

WHEREAS, perpetual government easements and government purchases threaten to permanently prevent present and future drainage needs;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

1. That the legislative assembly is opposed to any extension of the Federal program for the permanent acquisition of wetlands;

2. That the legislative assembly is opposed to any increase in the duck stamp fee for the purpose of increasing federal land acquisition;

3. That the present or future resources assigned to the wetlands program be utilized for the development of presently owned wetlands; and

4. That funds be allocated for the development of wildlife resources on privately owned lands along with the development of agricultural potentials on these same lands, as joint consideration for the utilizations of the natural resources for both purposes.

Be It Further Resolved, that the Legislature of the State of North Dakota urge that existing law be changed to allow the local, State, and Federal agencies to make surveys and designs on flood control projects, to allow a reasonable basis for consideration of the effects of the project on other resources, such as municipal, agricultural, wildlife, and recreation.

Be It Further Resolved, that the Secretary of State transmit copies of this resolution to the United States Department of the Interior, the United States Department of Agriculture, and to each member of the North Dakota congressional delegation.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "JJ"

(Hernett)

PREFILING AND PRINTING OF LEGISLATIVE BILLS

A concurrent resolution relating to prefiling and printing of bills in advance of sessions of the legislative assembly.

WHEREAS, as a result of laws passed by the Thirty-ninth Legislative Assembly providing for a Pre-session Organizational Orientation Conference and other provisions of law requiring a special subcommittee of the Legislative Research Committee to make all necessary arrangements for each session of the Legislature, it is now possible for the legislative assembly to be completely organized and be in full operation immediately upon the convening of the session; and

WHEREAS, many committees of the legislative assembly have available bills resulting from studies of the Legislative Research Committee and the Legislative Audit and Fiscal Review Committee as well as those resulting from the Governor's budget, which bills are printed in advance of the session, thereby permitting such committees to immediately begin work at a high level, but other committees may have few or no bills available for their consideration at the beginning of the session; and

WHEREAS, some committees not having bills for consideration at the beginning of the session may be flooded with bill assignments after the deadline for introduction of bills and have great difficulty in holding hearings and giving deliberative consideration to the large number of bills assigned to them; and

WHEREAS, many states have adopted a policy of prefilng and printing of bills requested by individual legislators in advance of the session in order, at least in part, to equalize the workload of the committees and better utilize their time;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby authorized and directed in accordance with authority contained in chapter 54-35 and specifically section 54-35-11 to establish a system of prefilng and printing of bills in advance of each session of the legislative assembly and to encourage the drafting and filing of resolutions and bills and arrange for their printing in advance of the session to the maximum extent feasible.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "KK"

(Hernett, Decker, Rait)

LRC STUDY OF BUSINESS AND INDUSTRIAL
LEGISLATIVE INCENTIVES

A concurrent resolution directing the Legislative Research Committee to carry out a comprehensive study of business and industrial legislative incentives.

WHEREAS, the growth of business and industry in North Dakota has lagged significantly behind other states in the upper midwest; and

WHEREAS, it is recognized that business and industrial growth is directly dependent on a favorable legislative, economic, and social environment; and

WHEREAS, the Legislature has a responsibility to exercise its power in a manner which encourages economic growth, increased job opportunity, and higher per capita income; and

WHEREAS, the Greater North Dakota Association and the North Dakota Economic Development Commission in cooperation with the University of North Dakota have obtained and partially compiled information and data which could provide guidelines to legislation which would reflect in increased business and industrial growth;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee, with the cooperation of the Greater North Dakota Association, the North Dakota Economic Development Commission, and the University of North Dakota, conduct a comprehensive study of the need for business and industrial incentives in the State of North Dakota and which committee shall report its recommendations to the Forty-first Legislative Assembly, together with suitable legislation to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "NN"

(Melland, Nething)
(Construction Appropriation)

PIPESTEM CREEK DAM AND RESERVOIR
JAMES RIVER, NORTH DAKOTA

A concurrent resolution endorsing and supporting the construction of the authorized Pipestem Creek Dam and Reservoir, and urging an appropriation therefor.

WHEREAS, the Congress by Public Law 89-298 authorized the construction of Pipestem Dam and Reservoir in the James River Basin, North Dakota, and has provided preconstruction planning funds therefor; and

WHEREAS, a portion of the city of Jamestown, North Dakota, was flooded by the Pipestem Creek in 1966, inundating thirty homes, badly damaging another thirty residences, and disrupting traffic and normal routine;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fortieth Legislation Assembly of the State of North Dakota does hereby reaffirm its endorsement and support of said project and most respectfully requests and urges the Congress to make funds available for initiating early construction thereon; and

Be It Further Resolved that a copy of this resolution be by the Secretary of State transmitted to each of the members of the North Dakota congressional delegation; chairman of the House and Senate Committees on Appropriations; Chief of Engineers, Department of the Army, Washington, D.C.; Division Engineer, Missouri River Division, Corps of Engineers, Omaha, Nebraska; District Engineer, Corps of Engineers, Omaha, Nebraska; and Area Engineer, Corps of Engineers, Riverdale, North Dakota.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "SS"

(Becker)

LRG STUDY OF PROPERTY TAX LIMITATIONS

A concurrent resolution directing the Legislative Research Committee to study the feasibility of providing property tax limitations based upon current market value and to study other areas relating to property taxes levied for the purpose of improving assessment practices.

WHEREAS, the political subdivisions of North Dakota are basically dependent upon real and personal property taxes for local revenue; and

WHEREAS, such dependency has resulted in the imposition of taxes at a high rate of the current market value of the property subject to ad valorem taxes; and

WHEREAS, the continued increase in the percentage of market value at which such property taxes are collected appears to extend and magnify the inequities that exist in the property tax system;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to undertake a study to determine the need and advisability

of establishing a level of current market value that real or personal property taxes shall not exceed; and to carry out any additional studies deemed necessary to correct and improve real and personal property assessment and administration, and make its report and recommendations thereon to the Forty-first Legislative Assembly, together with any legislation required to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "TT"

(Rait, Christensen, Decker, Becker, Wenstrom)

LRC STUDY OF TAXATION OF MINERAL RIGHTS

A concurrent resolution directing a study by the Legislative Research Committee of alternative methods of taxation of mineral rights.

WHEREAS, since the discovery of oil in North Dakota many mineral rights have been sold and are owned by persons not owning the surface rights to land; and

WHEREAS, through further sale and subdividing of interests, and through the inheritance of such mineral rights by numerous heirs, such severed mineral rights have been divided into minute fractional interests; and

WHEREAS, in many cases such mineral rights have for practical purposes been abandoned as worthless or not of sufficient value to be included in probate proceedings; and

WHEREAS, such severed mineral rights are not now assessed and taxed under laws relating to the ad valorem system of taxing property because of the costs of determining ownership and the costs of assessment, collection, and foreclosure, and thereby are not contributing to the costs of local government; and

WHEREAS, such dispersion of severed mineral rights can increase costs of abstract preparation; and

WHEREAS, it is in the public interest that title to abandoned severed mineral rights be acquired by the State or its political subdivisions in order that such property may be resold to surface right owners or other interested purchasers and thereby returned to the tax rolls;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby authorized and directed to study alternative methods of taxing severed mineral rights and to make its report and recommendations, together with any legislation necessary to carry out such recommendations, to the Forty-first Legislative Assembly.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "VV"

(M. Kelly, Hofstrand, Beck, L. Larson)

COMMEMORATIVE CEREMONIES OF THE FORT TOTTEN
INDIAN RESERVATION AND FORT TOTTEN MILITARY POST

A concurrent resolution relating to commemorative ceremonies in regard to the establishment of the Fort Totten Indian Reservation and the Fort Totten Military Post.

WHEREAS, the year 1967 marks the centennial of the establishment of the Fort Totten Indian Reservation and of the Fort Totten Military Post; and

WHEREAS, the Fort Totten Military Post, which is under the supervision of the State Historical Society, is the best preserved military post of frontier vintage west of the Mississippi River and is a source of pride to all residents of the State of North Dakota and of interest to North Dakota visitors; and

WHEREAS, it is appropriated that suitable commemorative ceremonies be carried on during the year 1967 in recognition of such centennial;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Fort Totten Tribal Council and the residents of the Fort Totten Indian Reservation are hereby congratulated upon the one hundredth anniversary of the establishment of the Reservation and are urged, with the cooperation of the State Historical Society, to conduct suitable commemorative ceremonies in the year 1967 in recognition of the centennial anniversary of the Fort Totten Indian Reservation and Fort Totten Military Post; and

Be It Further Resolved, that a copy of this resolution be forwarded by the Secretary of State to the Chairman of the Fort Totten Tribal Council.

Filed February 20, 1967.

SENATE CONCURRENT RESOLUTION "AAA"

(Lips)

LRC STUDY OF EMPLOYEES' RETIREMENT PROGRAM

A concurrent resolution directing the Legislative Research Committee to study the State Employees' Retirement Program and the management and investment practices of all public funds belonging to the State.

WHEREAS, there appears to be a lack of knowledge on the part of administrators and legislators in regard to the operations of the State Employees' Retirement Program; and

WHEREAS, the offices of the Attorney General and the Securities Commissioner have raised questions as to certain actions of the State Employees' Retirement Board; and

WHEREAS, many political subdivisions of the State of North Dakota have recently requested coverage under the State Employees' Retirement Program, which raises problems as to the extension of this program; and

WHEREAS, because of the restrictions on employer contributions, it is doubtful whether or not the program accomplishes one of its prime objectives, the recruitment and retention of skilled and professional personnel; and

WHEREAS, a determination as to the permanency and stability of the State Employees' Retirement Program is in the best interests of the State employees covered by this program; and

WHEREAS, the public funds of the State are presently managed and invested by a number of agencies of the State and in accordance with many separate and diverse laws; and

WHEREAS, there is a need to make a study of the management and investment practices concerning such funds;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to conduct a study for the purposes of determining whether or not reforms are needed within the program and whether or not it is feasible and advisable for this program to be expanded to include employees of the various political subdivisions of the State of North Dakota, and compiling any other useful information in regard to the retirement program, and to make a study of the management and investment practices of all

public funds of the State to determine whether better methods of management and investment practices can be formulated, and shall present such information and make its report and recommendations to the Forty-first Legislative Assembly, together with such legislation as may be necessary to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "EEE"

(Longmire, Decker)

LRG STUDY OF GOVERNMENTAL IMMUNITY

A concurrent resolution relating to a study by the Legislative Research Committee of the feasibility of modifying the doctrine of governmental immunity.

WHEREAS, the doctrine of governmental immunity, which was adopted by almost all States of the nation, prohibits any injured citizen from making claims against or suing the State for wrongful acts or torts of its agents in carrying out their governmental duties unless the Legislature consents to such suit by law; and

WHEREAS, the State of North Dakota has never waived its immunity from suits for torts of its employees and agents, which often causes hardship to citizens who cannot obtain relief for their injuries and damages; and

WHEREAS, some States have modified the doctrine of governmental immunity by statute or court decision to permit suits against the State or its political subdivisions by injured citizens for damages resulting from the torts or wrongful acts of its agents or employees;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby authorized and directed to conduct a study to determine the feasibility of the modification of the doctrine of governmental immunity for the purpose of providing redress to citizens injured or damaged through the torts or wrongful acts of employees and agents of the State and its political subdivisions and that the committee make its report and recommendations to the Forty-first Legislative Assembly accompanied by any suitable legislation necessary to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "FFF"

(Melland, Nething, Litten)

LRC STUDY OF SCHOLARSHIPS AND LOAN FUNDS

A concurrent resolution directing the Legislative Research Committee to study the various State scholarship and loan funds administered by the State.

WHEREAS, the State of North Dakota has established numerous State loan and scholarship funds; and

WHEREAS, many students who are residents of the State of North Dakota attend private schools within the State; and

WHEREAS, it is questionable whether or not these students are eligible for many of the scholarships presently available under the State scholarship program; and

WHEREAS, the State scholarship programs might better serve the State and a greater number of students if they were consolidated;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to conduct a study for the purpose of determining the feasibility and advisability of consolidating the various State scholarship and loan funds, and reviewing other useful information in regard to the State scholarship and loan programs, and shall present such information and make its report and recommendations to the Forty-first Legislative Assembly, together with such legislation as may be necessary to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "HHH"

(Committee on Appropriations)

LRC STUDY OF STATE FARMING OPERATIONS

A concurrent resolution directing the Legislative Research Committee to study the farming operations of the various institutions of the State of North Dakota.

WHEREAS, farming operations are carried on by several institutions of the State; and

WHEREAS, through coordination and integration of such operations through integrated management it appears more economical operations might occur or, in the alternative, such a study might indicate that farming operations should be discontinued; and

WHEREAS, there is no existing information upon which to make a well-informed judgment as to the merit of consolidating, changing, or terminating any of the farming operations presently carried on by the various institutions of the State of North Dakota;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to study the laws, procedures, management, operational practices, and any other area of the farming operations carried out by institutions of the State of North Dakota, and submit its report and recommendations, together with any necessary legislation, to the Forty-first Legislative Assembly.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "JJJ"

(Trenbeath, Pyle)

LRC STUDY OF ADMINISTRATION OF
AGRICULTURAL ACTIVITIES

A concurrent resolution authorizing and directing the Legislative Research Committee to study the feasibility of placing the administration of certain agricultural activities that are now administered by separate State boards, commissions and institutions under the jurisdiction of the State Department of Agriculture.

WHEREAS, the Constitution of this State establishes a Department of Agriculture which is maintained and staffed by the State; and

WHEREAS, there are many activities of the State in the field of agriculture, the majority of which have been placed under the jurisdiction of separate boards, agencies and institutions, including but not limited to the State Seed Department, Poultry Improvement Board, Livestock Sanitary Board, State Soil Conservation Committee; and

WHEREAS, it would appear that consideration should be given to the consolidation of many or all of these agricultural activities in the Department of Agriculture in order to carry

out the intent of the Constitution in regard to such department and to eliminate confusion, duplication, and to promote efficiency in such governmental activities;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to study the various activities of the State in the field of agriculture now being carried on by various departments, agencies, boards, and institutions and to determine the merits and feasibility of consolidating the administration of many or all of the State agricultural activities in the Department of Agriculture, and to make its report and recommendations to the Forty-first Legislative Assembly together with such legislation as may be necessary to carry out such recommendations.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "LLL"

(Nasset, Coughlin, Longmire, Larson(32))

ALLOCATION OF FEDERAL FUNDS DIRECTLY TO LOCAL SCHOOL DISTRICTS

A concurrent resolution directing the North Dakota Association of School Administrators to urge the Federal Government and the North Dakota congressional delegation to refrain from allocating school funds directly to local school districts.

WHEREAS, the Federal Government in allocating school funds categorizes and applies the funds to certain school programs without regard to the total specific needs of a State; and

WHEREAS, the Federal Government, in allocating such funds, makes them available or pays them directly to a local school district without any notice to the State's administrat- ing agency that it has done so; and

WHEREAS, the State also provides financial aid to such local districts, which aid is determined on a statewide basis, and attempts to take into consideration known federal funds made available to such districts; and

WHEREAS, the State aid program could become more equitable if all funds from whatever source were channeled through a central state agency, such agency being the Superintendent of Public Instruction in North Dakota; and

WHEREAS, the North Dakota Association of School Administrators also has an interest in the Federal Government's present practice of handling such funds;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Federal Government is hereby urged that in administering its programs which allocate money to local school districts in any State that such administration be channeled through the office of the Superintendent of Public Instruction or the State Board of Public School Education, which office or State board is charged with the duty of administering such allocations to elementary and secondary schools, and that the North Dakota Association of School Administrators be urged to bring such practice to the attention of the Department of Federal Government responsible for such action and to the attention of our North Dakota congressional delegation;

Be It Further Resolved, that enrolled copies of this resolution be forwarded by the Secretary of State to the North Dakota congressional delegation and to the President of the North Dakota Association of School Administrators.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "NNN"

(Committee on Delayed Bills)

COMMENDATION OF RALPH BEEDE

A resolution honoring Ralph Beede for his outstanding services to his community, State, and nation, and especially to the North Dakota Legislative Assembly.

WHEREAS, the Honorable Ralph Beede of Elgin, North Dakota, who began his legislative service as a member of the House of Representatives in 1939 and retired from the legislative assembly in 1960, is generally recognized as one of the outstanding members of the North Dakota Legislature since statehood because of his integrity, almost unlimited knowledge of matters of concern to the body, the continuous assistance he rendered to his colleagues, and the utmost in respect and esteem in which he is held by the legislative assembly; and

WHEREAS, it is difficult to find a single program or action of major importance that was considered by the legislative

assembly during the period of Ralph Beede's service which does not reflect his major contribution and the imprint of his hand; and

WHEREAS, Ralph Beede has held all offices of importance and honor in the House of Representatives including the Chairmanship of major standing committees, Chairman of the Legislative Research Committee, service as Minority and Majority Floor Leader, and Speaker; and

WHEREAS, through interest in matters of national concern, service in the armed forces during time of war, and active participation in community affairs, together with his services in his professions of attorney at law and newspaper publisher, Ralph Beede has rendered a lifetime of service to his community, State, and nation; and

WHEREAS, it is the desire of the Fortieth Legislative Assembly on behalf of the citizens of the State of North Dakota to recognize the many and important contributions and service rendered by Ralph Beede;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the date of February twentieth shall be set as "Ralph Beede Day" and that at one thirty o'clock p.m. of such day the Senate and House of Representatives shall convene in joint session for the purpose of honoring Ralph Beede and presenting to him a suitable token of the appreciation of the citizens of the state and of the high esteem in which he is held by the North Dakota Legislative Assembly; and

Be It Further Resolved, that a copy of this resolution be forwarded by the Secretary of State to the Honorable Ralph Beede.

Filed February 24, 1967.

SENATE CONCURRENT RESOLUTION "PPP"
(Committee on Delayed Bills)

LRC STUDY OF STATE MERIT SYSTEM

A concurrent resolution directing the Legislative Research Committee to study and review the feasibility of adopting a merit system for all State employees.

WHEREAS, some of the State employees are now employed under a merit system which encourages the employment and retention of competent and qualified personnel; and

WHEREAS, some of the primary purposes of the merit system are to provide uniform salaries and salary increases, and uniform fringe benefits for all State employees; and

WHEREAS, many State employees are urging the serious consideration by the Legislature of the adoption of the merit system;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the Legislative Research Committee is hereby directed to undertake a study and review of the feasibility of adopting a merit system plan for all State employees; and

Be It Further Resolved, that the Legislative Research Committee, in conducting such study and review, may seek the assistance and advice of any State agency, institution, or department, and all such State agencies, institutions, and departments are hereby directed to cooperate in providing such assistance and advice requested; and

Be It Further Resolved, that the Legislative Research Committee shall make its report and recommendations resulting from such study and review, together with any legislation necessary to implement such recommendations, to the Forty-first Legislative Assembly.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "RRR"
(Committee on Delayed Bills)

DISPOSAL OF STATEHOOD ANNIVERSARY FUNDS

A concurrent resolution establishing an interim Legislative Committee to act as conservators of the funds now held by the North Dakota Statehood Anniversary Committee and dissolving such Statehood Committee.

WHEREAS, the North Dakota Statehood Anniversary Committee was continued during the 1965-1967 biennium pursuant to Senate Concurrent Resolution "H-H" of the Thirty-ninth Legislative Assembly for the purpose of obtaining and placing portraits of Rough Rider Award recipients; and

WHEREAS, such committee has completed this project and there remains nearly six thousand dollars in the treasury of such committee; and

WHEREAS, the committee has asked the Fortieth Legislative Assembly for a directive concerning such funds;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That a committee, consisting of two members of the House of Representatives, appointed by the Speaker, and one member of the Senate, appointed by the President of the Senate, shall, after an accounting of such funds, receive them from the North Dakota Statehood Anniversary Committee and cause them to be deposited in a place of safekeeping to await the Forty-first Legislative Assembly's directive regarding the disposal of such funds; and

Be It Further Resolved, that upon completion of the transfer of such funds the North Dakota Statehood Anniversary Committee be dissolved.

Filed March 16, 1967.

SENATE CONCURRENT RESOLUTION "SSS"
(Committee on Delayed Bills)

ACCEPTANCE OF TELEVISION TRANSMITTING ANTENNAS

A concurrent resolution relating to the acceptance by the State of television transmitting antennas.

WHEREAS, the State of North Dakota has accepted as a gift a television transmitting antenna and transmitting equipment, and other television transmitting antennas may be offered to the State as a gift; and

WHEREAS, the acceptance of ownership of such antennas by the State has the effect of removing such property from the property tax rolls, thereby reducing the tax revenue of local governments; and

WHEREAS, the acceptance of ownership of such antennas commits the State to long-term obligations for maintenance and operation of such equipment and property without the prior approval of the legislative assembly; and

WHEREAS, it is possible that a study of the technical and economic aspects of television transmission facilities might indicate that it is preferable to make use of privately owned wire or cable transmission facilities for educational television purposes;

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the departments, agencies, and institutions of the State are hereby directed to refrain from accepting the transfer by gift or otherwise of television antennas unless such acceptance and transfer have been specifically approved by the legislative assembly.

Filed March 16, 1967.