

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 675

HOUSE CONCURRENT RESOLUTION NO. 3001
(Legislative Council)
(Interim Budget "B" Committee)

TITLE XIX PLAN AMENDMENT

A concurrent resolution directing the North Dakota Social Service Board to amend the state Title XIX plan to provide coverage for services provided by community intermediate care facilities to developmentally disabled persons.

WHEREAS, the Legislative Assembly recognizes the need for improved medical and supportive services to developmentally disabled persons; and

WHEREAS, moneys available under Title XIX of the Social Security Act will provide a portion of the funding necessary for these additional services; and

WHEREAS, additional services and facilities could provide for the deinstitutionalization of developmentally disabled persons currently residing in state institutions; and

WHEREAS, the North Dakota Social Service Board is the state agency designated to administer the Title XIX plan;

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

That the State Social Service Board is directed to amend the state's plan required under Title XIX of the Social Security Act to include coverage for medical services provided by intermediate care facilities for developmentally disabled persons in North Dakota.

Filed March 25, 1981

CHAPTER 676

HOUSE CONCURRENT RESOLUTION NO. 3002
(Legislative Council)
(Interim Budget "B" Committee)

SERVICES FOR DEVELOPMENTALLY DISABLED

A concurrent resolution encouraging state agencies, institutions, and service providers on the community level to implement a plan for community services for developmentally disabled persons.

WHEREAS, the Legislative Council has studied the needs of developmentally disabled persons in the state of North Dakota; and

WHEREAS, there are a number of developmentally disabled persons in the state of North Dakota including residents of the Grafton State School and San Haven who could benefit from an improved community service program in North Dakota for the developmentally disabled; and

WHEREAS, a plan developed by representatives of various state agencies, including the State Department of Health, the Social Service Board, and the Director of Institutions, is approved by the Legislative Council; and

WHEREAS, such plan is for the development of a project during the 1981-83 biennium to provide improved and new services to developmentally disabled persons and also provide, in those instances where the project does not provide certain services statewide, a demonstration project to determine whether such services for developmentally disabled persons should be provided statewide;

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

That all state agencies and institutions, including the State Department of Health, the State Social Service Board, and the Director of Institutions take such action as may be necessary to encourage the implementation of the project or projects during the 1981-83 biennium as approved by the Legislative Council; and

BE IT FURTHER RESOLVED, that community providers of services cooperate as proposed in the project; and

BE IT FURTHER RESOLVED, that the Committees on Appropriations of the Forty-seventh Legislative Assembly recommend appropriation levels in accordance with the Legislative Council project designed to provide services to developmentally disabled persons during the 1981-83 biennium.

CHAPTER 677

HOUSE CONCURRENT RESOLUTION NO. 3003
(Legislative Council)
(Interim Budget "B" Committee)

DEVELOPMENTALLY DISABLED CARE STUDY

A concurrent resolution directing a Legislative Council study to monitor the establishment of intermediate care facilities-services for developmentally disabled persons during the 1981-83 biennium.

WHEREAS, the Legislative Council has conducted a study to determine the need for improved community services to developmentally disabled persons; and

WHEREAS, the study resulted in recommendations to establish community intermediate care facilities for developmentally disabled persons; and

WHEREAS, residents of the Grafton State School will be transferring to community facilities during the next biennium; and

WHEREAS, improved services for developmentally disabled persons will be available to those already residing in various communities of the state; and

WHEREAS, it is important that a high level of services be delivered to persons in such facilities; and

WHEREAS, the experience and success of the establishment of additional community facilities recommended by the Forty-seventh Legislative Assembly will serve as a demonstration project for expansion of such services in the future;

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

That the Legislative Council monitor the efforts of the State Department of Health, the State Social Service Board, the Director of Institutions, and various providers of services on the community level as they provide additional services to developmentally disabled persons during the next biennium; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to the Forty-eighth Legislative Assembly regarding the expansion of community services to developmentally disabled persons in the state.

Filed March 2, 1981

CHAPTER 678

HOUSE CONCURRENT RESOLUTION NO. 3006
(Legislative Council)
(Interim Medical Education Committee)

MEDICAL SCHOOL THIRD YEAR IN STATE

A concurrent resolution recommending establishment of the University of North Dakota Medical School third year in North Dakota.

WHEREAS, the Legislative Council's Medical Education Committee was assigned House Concurrent Resolution No. 3085 of the 1979 Legislative Assembly, which directed a study of the four-year medical program of the University of North Dakota Medical School; and

WHEREAS, Dr. Stanley W. Olson, a recognized expert in medical education, has submitted his final report to the Medical Education Committee, and recommends that the third year of the medical school curriculum be taught in North Dakota rather than in Minnesota, beginning with the 1983-1984 school year; and

WHEREAS, the report indicates that North Dakota has the available clinical resources for the instruction of third-year medical students; and

WHEREAS, the report indicates that North Dakota has a sufficient number of physicians to provide clinical instruction for third-year medical students; and

WHEREAS, the report indicates that the cost of providing third-year instruction in North Dakota should be similar to the cost of sending students to Minnesota; and

WHEREAS, the report indicates that the adoption of the proposal to teach the third year in North Dakota is critical to the survival of the medical school as a degree-granting institution; and

WHEREAS, the report indicates that the success of teaching the third year in North Dakota is essential to the maintenance of quality health care for the people of North Dakota; and

WHEREAS, the Medical Education Committee heard from a number of provider organizations supporting a full degree-granting medical school to include a third year taught in North Dakota;

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

That the Forty-seventh Legislative Assembly recommends that the State Board of Higher Education make the necessary changes to provide for the third year of the medical school curriculum of the University of North Dakota Medical School to be taught in North Dakota, beginning with the 1983-1984 school year.

Filed March 2, 1981

CHAPTER 679

HOUSE CONCURRENT RESOLUTION NO. 3007
(Legislative Council)
(Interim State and Federal Government "A" Committee)

DIRECT FUNDING OF INDIAN SERVICES

A concurrent resolution urging Congress to provide for direct funding of services to Indian reservations in North Dakota.

WHEREAS, Congress has traditionally funded many services to Indian reservations through existing state agencies; and

WHEREAS, state agencies oftentimes do not have any legal jurisdiction over the Indians on such reservations; and

WHEREAS, individuals testifying before the North Dakota Legislative Council's State and Federal Government "A" Committee from the Indian reservations in North Dakota and from North Dakota state agencies have indicated a preference for direct federal funding to the reservations;

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

That the Forty-seventh Legislative Assembly urge the United States Congress to amend federal law accordingly so that all services offered to Indians on recognized Indian reservations be funded directly by Congress rather than through existing state agencies; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Department of Health and Human Services; the Assistant Secretary of the Interior for Indian Affairs; to the chairpersons of the House Standing Committees on Education and Labor; Interior and Insular Affairs; Public Works and Transportation; and Small Business; the Senate Standing Committees on Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; and the Senate Select Committee on Indian Affairs; and to each member of the North Dakota Congressional Delegation.

Filed March 4, 1981

CHAPTER 680

HOUSE CONCURRENT RESOLUTION NO. 3008
(Legislative Council)
(Interim State and Federal Government "A" Committee)

**BENEFITS TO ENROLLED MEMBERS
OF INDIAN TRIBES**

A concurrent resolution urging Congress to extend the benefits conferred upon enrolled members of recognized Indian tribes to those individuals regardless of whether or not they reside on the reservation and to sufficiently increase funding for these benefits so that all enrolled members may receive adequate services and benefits.

WHEREAS, Congress has provided many benefits to Native Americans who are enrolled members of recognized tribes; and

WHEREAS, many of these benefits are lost by Indians who move off the reservation; and

WHEREAS, Congress currently does not fund these programs sufficiently to meet the needs of either on-reservation Indians or off-reservation Indians living in North Dakota; and

WHEREAS, this policy is causing extreme hardship for the Native Americans in North Dakota;

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

That the Forty-seventh Legislative Assembly urge the United States Congress to amend federal law accordingly so that all benefits available to Native Americans who are enrolled members of federally recognized tribes be available to those individuals regardless of where they choose to reside and to sufficiently increase funding for these benefits so that all enrolled members may receive adequate services and benefits; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Department of Health and Human Services; the Assistant Secretary of the Interior for Indian Affairs; to the chairpersons of the House Standing Committees on Education and Labor; Interior and Insular Affairs; Public Works and Transportation; and Small Business; the Senate Standing Committees on Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; and the Senate Select Committee on Indian Affairs; and to each member of the North Dakota Congressional Delegation.

Filed March 12, 1981

CHAPTER 681

HOUSE CONCURRENT RESOLUTION NO. 3012
(Martinson)

HIGHWAY PATROLMEN'S RETIREMENT SYSTEM STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the Highway Patrolmen's Retirement System.

WHEREAS, North Dakota Century Code Chapter 39-03.1 establishes the Highway Patrolmen's Retirement System; and

WHEREAS, North Dakota Century Code Chapter 40-45 authorizes police pension systems in cities having organized police departments; and

WHEREAS, North Dakota Century Code Chapter 40-46 authorizes city employee pension plans, which may or may not cover members of municipal police forces; and

WHEREAS, North Dakota Century Code Chapter 54-52 establishes the Public Employees Retirement System, which provides coverage for state security personnel and also coverage for employees of participating political subdivisions; and

WHEREAS, these several retirement systems provide various levels of retirement, disability, and survivor's benefits for law enforcement personnel; and

WHEREAS, a single statewide retirement system for law enforcement personnel may result in increased benefits through unified investment planning and unified administration;

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

That the Legislative Council is directed to conduct a study of the Highway Patrolmen's Retirement System, which is to include a review of the actuarial standards and soundness of the system, the funding mechanism of the system, the benefits provided by the system, and the coverage of the system, with emphasis on the feasibility of expanding the system to cover other law enforcement personnel; 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 Forty-eighth Legislative Assembly.

Filed March 6, 1981

CHAPTER 682

HOUSE CONCURRENT RESOLUTION NO. 3013
(Representatives A. Olson, Olafson, Schindler)
(Senators Erickson, Vosper)

55 MILE PER HOUR SPEED LIMIT

A concurrent resolution urging Congress to repeal the national 55 mile per hour speed limit.

WHEREAS, Congress has imposed a highway speed limit of 55 miles per hour for the primary purpose of conserving fuel; and

WHEREAS, computations by the Institute of Transportation Studies, University of California, show that the energy saved by driving 55 miles per hour could be saved instead by keeping tires properly inflated; and

WHEREAS, driving at the federally required 55 miles per hour is an enormous waste of travel time, which computations show to approximate \$6 billion per year; and

WHEREAS, the elimination of the federally required 55 mile per hour speed limit would result in 102 man-years per year of time saved that is now wasted and that time could be used to improve our nation's productivity; and

WHEREAS, states must impose and enforce the federally required 55 mile per hour speed limit in order to receive federal highway aid funds; and

WHEREAS, the federally required 55 mile per hour speed limit is not followed by a substantial number of motorists and this is recognized by the less than 100 percent compliance level which must be shown by states in order to qualify for federal funds; and

WHEREAS, speed limits on state and local highways should be set by officials who are cognizant of local traffic conditions, and not by federal officials who are not aware of local conditions; and

WHEREAS, the results of the 1980 elections indicate voter support for less federal intervention in local affairs;

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

That the Forty-seventh Legislative Assembly urges the United States Congress to amend the Emergency Highway Energy Conservation Act to eliminate the federally required 55 mile per hour speed limit and to eliminate sanctions against states imposing speed limits reflecting their local conditions; and

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

CHAPTER 683

HOUSE CONCURRENT RESOLUTION NO. 3014
(Committee on Employment)

LEGISLATIVE EMPLOYEES

A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

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

That for and during the Forty-seventh Legislative Assembly the following named persons are employed and appointed as employees of the House and Senate and shall be paid the daily wages opposite their respective names in accordance with their positions as shown below:

| HOUSE | |
|--|---------|
| Roy Gilbreath, Chief Clerk | \$77.00 |
| Barbara Middaugh, Desk Reporter | 72.00 |
| David Hillesland, Sergeant-at-Arms | 58.00 |
| Skip Sjothun, Assistant Chief Clerk | 64.00 |
| Janna Tjaden, Bill Clerk | 58.00 |
| Lauren Harms, Chief Stenographer & Payroll Clerk | 58.00 |
| Kitty Steidler, Appropriations Committee Clerk | 58.00 |
| Andrea Perry, Assistant Appropriations Committee Clerk | 53.00 |
| Helen Soma, Chief Committee Clerk | 58.00 |
| Mary LaDuke, Committee Clerk | 53.00 |
| Eileen Schneider, Committee Clerk | 53.00 |
| Shirley Backman, Committee Clerk | 53.00 |
| Carol Laidlaw, Committee Clerk | 53.00 |
| Darlyne Clausnitzer, Committee Clerk | 53.00 |
| Bev Espeland, Committee Clerk | 53.00 |
| Sue Feland, Committee Clerk | 53.00 |
| Gwyn Herman, Committee Clerk | 53.00 |
| Deborah Feland, Committee Clerk | 53.00 |
| Maude Grambs, Assistant Committee Clerk | 50.00 |
| Dorothy Peterson, Assistant Committee Clerk | 50.00 |
| Carol Olson, Chief Page & Bill Book Clerk | 50.00 |
| Skip Elefson, Desk Page | 44.00 |
| Barbara Larson, Desk Page | 44.00 |
| Robert Porter, Desk Page | 44.00 |
| Betty Perkins, Secretary to the Speaker | 58.00 |
| Mavis Patchen, Secretary to the Majority Leader | 58.00 |
| Anne Rowe, Secretary to the Minority Leader | 58.00 |
| Jack Whereatt, Deputy Sergeant-at-Arms | 47.00 |
| Edgar Beyers, Assistant Sergeant-at-Arms | 44.00 |
| Brenda Shark, Assistant Sergeant-at-Arms | 44.00 |
| William Harter, Assistant Sergeant-at-Arms | 44.00 |
| Bjarne Hjelmstad, Assistant Sergeant-at-Arms | 44.00 |

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| Phyllis Connolly, Assistant Sergeant-at-Arms | 44.00 |
| Eunice Anderson, Information Desk Attendant | 44.00 |
| Evelyn Sholts, Bill Room Clerk | 44.00 |
| Selmer Severinson, Bill Room Clerk | 44.00 |
| Darlene Turitto, Bill Room Clerk | 44.00 |
| Faye Caya, Bill Room Clerk | 44.00 |
| Hazel Ludemann, Journal Room Clerk | 44.00 |
| Lucy Miller, Journal Room Clerk | 44.00 |
| Flo Feland, Chief Telephone Attendant | 47.00 |
| Peggy Puetz, Telephone Page | 44.00 |
| Julia Stromberg, Telephone Attendant | 44.00 |
| Thelma Harvey, Telephone Attendant | 44.00 |
| Betty Heinrich, Telephone Attendant | 44.00 |
| Curt Togstad, Parking Lot Attendant | 44.00 |
| Deborah Wood, Stenographer | 47.00 |
| Pat Johnson, Stenographer | 47.00 |
| Phyllis Johnson, Stenographer | 47.00 |
| Gayle Schwehr, Stenographer | 47.00 |
| Judy Hoffman, Stenographer | 47.00 |
| Eileen Giese, Typist | 47.00 |
| Sandra Eckert, Typist | 47.00 |
| Renaë Doan, Page and Bill Book Clerk | 44.00 |
| Laurie Heinsohn, Page and Bill Book Clerk | 44.00 |
| Carmen Thompson, Page and Bill Book Clerk | 44.00 |
| Tove Mandigo, Page and Bill Book Clerk | 44.00 |
| Milton Rue III, Page and Bill Book Clerk | 44.00 |
| Wade Strilcov, Page and Bill Book Clerk | 44.00 |
| Kelly Herald, Page and Bill Book Clerk | 44.00 |
| Jane Hougen, Page and Bill Book Clerk | 44.00 |
| Dorene Kainz, Page and Bill Book Clerk | 44.00 |
| Barbara DuBois, Page and Bill Book Clerk | 44.00 |
| Brad Fay, Page and Bill Book Clerk | 44.00 |
| Lenae Vetter, Page and Bill Book Clerk | 44.00 |
| Judy Tinjum, Page and Bill Book Clerk | 44.00 |
| Peter Strauss, Page and Bill Book Clerk | 44.00 |
| Carolyn Blackburn, Page and Bill Book Clerk | 44.00 |
| Bonnie Dornbush, Page and Bill Book Clerk | 44.00 |
| Hilda Knittel, Journal Proofreader | 47.00 |
| Carin Noriega, Journal Proofreader | 47.00 |
| Joe Emineth, Janitor (partial pay only) | 31.00 |
| Melvin Nelson, Janitor (partial pay only) | 31.00 |
| Gene Reynolds, Janitor (partial pay only) | 31.00 |
| Steve Larson, Janitor (partial pay only) | 31.00 |
| SENATE | |
| Leo Leidholm, Secretary of the Senate | 77.00 |
| Doris McMahon, Desk Reporter | 72.00 |
| Olgar Sandven, Sergeant-at-Arms | 58.00 |
| J. Vernon Asheim, Assistant Secretary of the Senate | 64.00 |
| Sandra Boehler, Bill Clerk | 58.00 |
| Adeline Montague, Chief Stenographer and Payroll Clerk and Chief Committee Clerk | 58.00 |
| Yvonne Hurkes, Appropriations Committee Clerk | 58.00 |
| Debbie Akovenko, Assistant Appropriations Committee Clerk | 53.00 |

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|---|-------|
| Christine Hill, Committee Clerk | 53.00 |
| Lorraine Moos, Committee Clerk | 53.00 |
| Pearl Berget, Committee Clerk | 53.00 |
| Carol Nitschke, Committee Clerk | 53.00 |
| Becky Zoller, Committee Clerk | 53.00 |
| Jan Rogneby, Committee Clerk | 53.00 |
| Sheryl Cowan, Committee Clerk | 53.00 |
| Lynne Thompson, Committee Clerk | 53.00 |
| Jan Mumma, Committee Clerk | 53.00 |
| Meredith Meyer, Committee Clerk | 53.00 |
| Sonja Jossart, Assistant Committee Clerk | 50.00 |
| Ruby Stadick, Chief Page and Bill Book Clerk | 50.00 |
| Susan Strehlow, Assistant Desk Page | 44.00 |
| Jean Molinaro, Secretary to the President | 58.00 |
| Lois Scherr, Secretary to the Majority Leader | 58.00 |
| Dee Hanson, Secretary to the Minority Leader | 58.00 |
| Greg Donaldson, Deputy Sergeant-at-Arms | 47.00 |
| Wade Williamson, Assistant Sergeant-at-Arms | 44.00 |
| Lance Hagen, Assistant Sergeant-at-Arms | 44.00 |
| Lindy Lein, Assistant Sergeant-at-Arms | 44.00 |
| Rueben Hammond, Assistant Sergeant-at-Arms | 44.00 |
| Al Larson, Chief Journal and Bill Room Clerk | 53.00 |
| Alvin Jacobsen, Bill Room Clerk | 44.00 |
| LeDores Robey, Bill Room Clerk | 44.00 |
| Mark Zimmerman, Bill Room Clerk | 44.00 |
| Vernon Ruff, Journal Room Clerk | 44.00 |
| Lillian Albrecht, Journal Room Clerk | 44.00 |
| Michelle Mushik, Stenographer | 47.00 |
| Erma Hauglie, Stenographer | 47.00 |
| Melinda Wold, Stenographer | 47.00 |
| Mary Schmidt, Stenographer | 47.00 |
| Esther Davis, Information Desk | 44.00 |
| Gayle Skaaden, Telephone Page | 44.00 |
| Mary Ann Brown, Telephone Attendant | 44.00 |
| Linda Love, Telephone Attendant | 44.00 |
| Dolores Molzhon, Telephone Attendant | 44.00 |
| Brenda Bullinger, Telephone Attendant | 44.00 |
| Herman Jacobsen, Parking Lot Attendant | 44.00 |
| LaRaye Pilot, Page | 44.00 |
| Fran Brummund, Page | 44.00 |
| Robyn Butschat, Page | 44.00 |
| Laurie Leingang, Page | 44.00 |
| Tammy Meyer, Page | 44.00 |
| Robert Evanenko, Bill Book Clerk | 44.00 |
| Charles Symington, Bill Book Clerk | 44.00 |
| Kevin Bachmeier, Bill Book Clerk | 44.00 |
| Jill Schwede, Journal Proofreader | 47.00 |
| Ken Harlow, Journal Proofreader | 47.00 |
| Arnold Schmitt, Janitor (partial pay only) | 31.00 |
| Elmer Schweigert, Janitor (partial pay only) | 31.00 |
| Eddy Keller, Janitor (partial pay only) | 31.00 |
| Dick Lang, Janitor (partial pay only) | 31.00 |

BE IT FURTHER RESOLVED, that in the event any employee shall resign, be discharged, or for other reasons terminate employment, the compensation provided for in this resolution shall cease, effective the last day of employment.

Filed January 23, 1981

CHAPTER 684

HOUSE CONCURRENT RESOLUTION NO. 015
(Swiontek, Schindler, Gates)

TEACHER'S ROLE IN EDUCATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the education and role of the teacher.

WHEREAS, there is growing state and national concern about the quality of education received by the youth of the country; and

WHEREAS, this concern extends beyond the current "back-to-basics" movement in education; and

WHEREAS, because of the growing controversies, many teachers are electing to leave the field of education; and

WHEREAS, it is felt that with proper training and support, the teachers will be encouraged to remain in the profession and will be able to provide the quality education which people have come to expect;

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

That the Legislative Council is directed to study the role of the teacher in the field of education with emphasis on the student/teacher ratio, the qualifications, certification, and continued evaluation of teachers, in-service education of teachers, and the retention of teachers; 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 Forty-eighth Legislative Assembly.

Filed March 2, 1981

CHAPTER 685

HOUSE CONCURRENT RESOLUTION NO. 3016
(Timm)

SPEED LIMIT INCREASE ACTION

A concurrent resolution urging the Governor and State Highway Commissioner to take action to increase the maximum speed limit in the state when Congress repeals the federally mandated 55 mile per hour speed limit.

WHEREAS, the State of North Dakota imposed speed limits for the state highway system which were reasonable, safe, and prudent prior to November 1, 1973; and

WHEREAS, Congress required states to impose and enforce a maximum 55 mile per hour speed limit by November 1, 1973, in order to receive federal highway aid funds; and

WHEREAS, the Governor of North Dakota complied with this federal mandate by imposing a 55 mile per hour speed limit in the state by Executive Order No. 1974-2 issued on January 25, 1974; and

WHEREAS, the Legislative Assembly of North Dakota complied with this federal mandate by imposing a 55 mile per hour speed limit by Chapter 346, Session Laws of 1975; and

WHEREAS, President Ronald W. Reagan and the 1980 Republican National Platform have called for or favor repeal of the federally mandated 55 mile per hour speed limit; and

WHEREAS, Congress is likely to repeal the federally mandated 55 mile per hour speed limit while the North Dakota Legislative Assembly is not in session; and

WHEREAS, the Governor of North Dakota may rescind Executive Order No. 1974-2 imposing a 55 mile per hour speed limit in the state; and

WHEREAS, the Commissioner of the State Highway Department of North Dakota may alter maximum speed limits on the state highway system by an administrative order after a public hearing under Section 39-09-04 of the North Dakota Century Code;

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

That the Forty-seventh Legislative Assembly urges the Governor of North Dakota to rescind Executive Order No. 1974-2 when Congress repeals the federally mandated 55 mile per hour speed limit and refrain from issuing further executive orders imposing maximum speed limits in the state, except in emergencies in support of national defense; and

BE IT FURTHER RESOLVED, that the Forty-seventh Legislative Assembly urges the Commissioner of the State Highway Department of North Dakota to increase the maximum speed limit on the state highway system, pursuant to section 39-09-04 of the North Dakota Century Code, when Congress repeals the federally mandated 55 mile per hour speed limit; and

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

Filed March 18, 1981

CHAPTER 686

HOUSE CONCURRENT RESOLUTION NO. 3017
(Representatives B. Larson, E. Pomeroy, Swiontek)
(Senators Barth, Dotzenrod)

PUBLIC LAND USE STUDY

A concurrent resolution directing a Legislative Council study of the methods in which lands owned by the state of North Dakota, any of its agencies, or any of its political subdivisions are sold or leased for agricultural purposes during the 1981-83 biennium.

WHEREAS, the state of North Dakota, its agencies, and its political subdivisions own a considerable amount of farmland; and

WHEREAS, much of that farmland is leased to farmers for agricultural purposes, and those leases are given for specific periods of time and therefore must be renewed on a regular basis; and

WHEREAS, the state of North Dakota, its agencies, and political subdivisions occasionally dispose of the ownership of farmland generally by the highest bidder process; and

WHEREAS, farmers just beginning a career in agriculture often cannot compete for ownership or lease rights of that land in the price market against well-financed, established farmers because of their inability to meet the price offered by established farmers; and

WHEREAS, it is in the best interests of the state of North Dakota and its people to assist beginning farmers in getting a start in agriculture; and

WHEREAS, giving a priority to beginning farmers when state-owned lands become available for lease or sale would assist beginning farmers in establishing a viable farming operation;

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

That the Legislative Council conduct a study during the 1981-83 biennium of the practices of the state, its agencies and its political subdivisions in regard to sale and lease of its land and recommend methods of disposing of or leasing that land which would give some preference or priority to beginning farmers in acquiring lands needed to establish a viable farming operation.

Filed March 9, 1981

CHAPTER 687

HOUSE CONCURRENT RESOLUTION NO. 3018
(Strinden, Thompson, Whalen)

TENNECO COAL GASIFICATION PLANT STUDY

A concurrent resolution creating a special Legislative Council interim committee and directing the Legislative Council to conduct a study of the impacts on North Dakota from the proposed Tenneco coal gasification plant at Wibaux, Montana, and methods by which the impacts may be lessened by impact aid grants.

WHEREAS, it appears that a coal gasification plant will be constructed at or near Wibaux, Montana, in the near future; and

WHEREAS, the city of Beach, North Dakota, and the surrounding area will in all probability be heavily impacted by the Tenneco project, due to its size and proximity to the Beach area; and

WHEREAS, the initial mining plans submitted by Tenneco call for coal to be mined in both North Dakota and Montana; and

WHEREAS, the precedent has been established that coal development impact grants made pursuant to North Dakota Century Code Chapter 57-62 may be used only to mitigate the adverse effects of development of North Dakota coal; and

WHEREAS, depending upon the mining progression established by Tenneco, the Beach area may be heavily impacted for a number of years before becoming eligible for coal development impact grants if no coal is mined within North Dakota for the project during those years;

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

That a special Legislative Council interim committee is created, consisting of the director of the Coal Development Impact Office, the chairman of the Natural Resources Council and five legislators appointed by the Legislative Council; with the chairman of the committee designated by the Legislative Council from the five legislators appointed to the committee; and

BE IT FURTHER RESOLVED, that the special Legislative Council interim committee conduct a study of the potential impact of the Tenneco coal gasification plant upon the city of Beach, North Dakota, and the surrounding area, with special emphasis placed on alternative methods of ensuring continuous impact assistance to the area throughout the life of the plant; and

BE IT FURTHER RESOLVED, that the special Legislative Council interim committee shall communicate and meet with an appropriate committee or entity from the state of Montana to arrive at a solution mutually acceptable to both states; and

BE IT FURTHER RESOLVED, that the special Legislative Council interim committee operate according to the statutes and procedures governing the operation of other Legislative Council interim committees and make its report and recommendations to the Legislative Council; 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 Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 688

HOUSE CONCURRENT RESOLUTION NO. 3019
(Eagles, Horgan)

STATE INSECT REFERENCE COLLECTION

A concurrent resolution recognizing the North Dakota State Insect Reference Collection.

WHEREAS, the insect collection maintained by the Entomology Department at North Dakota State University has grown since its establishment in 1890 to include over 315,000 specimens valued at approximately one million dollars; and

WHEREAS, the collection is the only comprehensive resource of its kind in the State of North Dakota; and

WHEREAS, the collection has great historical and scientific importance for teaching, research, and extension activities throughout the State of North Dakota;

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

That the Entomology Department at North Dakota State University be commended for its sustained and diligent efforts over the last ninety years to develop this valuable reference collection for the State of North Dakota; and

BE IT FURTHER RESOLVED, that the Department's collection be hereafter designated as "The North Dakota State Insect Reference Collection"; and

BE IT FURTHER RESOLVED, that other state and federal agencies with entomological interests are hereby encouraged to utilize the North Dakota State Reference Collection and to enhance it by contributing additional specimens no longer needed for their own activities.

Filed March 3, 1981

CHAPTER 689

HOUSE CONCURRENT RESOLUTION NO. 3020
(Melby)

SABBATICAL LEAVE FOR JUDGES STUDY

A concurrent resolution directing the Legislative Council to study the granting of sabbatical leave for judges.

WHEREAS, continuing formalized study through professional workshops and seminars, exchange of views through papers and other writings, interdisciplinary assignments, and sabbatical leave for extended study are part of the law teacher's way of life and there is equal reason for comparable types of activity to be part of the judge's way of life; and

WHEREAS, most judicial candidates do not have the opportunity to obtain judicial training before coming to the bench; and

WHEREAS, seminars for judges on the trial and appellate levels have been shown to be useful and successful; and

WHEREAS, several organizations have constructed meaningful courses and a number of judicial education programs are now offered on a regional or national level; and

WHEREAS, some states provide for statutory sabbatical leave programs for judges; and

WHEREAS, the North Dakota Commission on Criminal Justice Standards and Goals recommends that the state adopt a program of sabbatical leave to enable judges to pursue studies and research relevant to their judicial duties;

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

That the Legislative Council is authorized and directed to conduct a study of the feasibility and desirability of granting sabbatical leave to judges and justices; 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 Forty-eighth Legislative Assembly.

Filed March 20, 1981

CHAPTER 690

HOUSE CONCURRENT RESOLUTION NO. 3021
(Backes, Meiers)

IRANIAN HOSTAGE RELEASE EFFORTS

A concurrent resolution expressing the gratitude and congratulations of the Forty-seventh Legislative Assembly to Warren Christopher for his contribution to securing the release of the Iranian hostages.

WHEREAS, Warren Christopher was born in Scranton, North Dakota, on October 27, 1925; and

WHEREAS, 52 American citizens have been held hostage in Iran contrary to international and moral law since November 4, 1979; and

WHEREAS, the American hostages were released on Tuesday, January 20, 1981, after 14 months of long and difficult negotiations; and

WHEREAS, Warren Christopher played a vital role in securing the release of the American hostages in his position as chief American negotiator for the release of the hostages since April 1980;

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

That the Forty-seventh Legislative Assembly publicly expresses, by adoption of this resolution, its gratitude and congratulations to Warren Christopher for his contribution to securing the release of the American hostages; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary of State to Warren Christopher.

Filed February 4, 1981

CHAPTER 691

HOUSE CONCURRENT RESOLUTION NO. 3022
(Martinson)

SCOLIOSIS SCREENING

A concurrent resolution urging yearly scoliosis screening of all children in grades six through nine and the continuance of scoliosis referral clinics.

WHEREAS, scoliosis is a curvature of the spine affecting ten percent of the adolescent population; and

WHEREAS, with early detection and prompt evaluation, scoliosis can be treated successfully without surgery by use of braces; and

WHEREAS, early detection is critical to achieve optimal treatment, and that detection depends upon mass screening of children in adolescent age groups, especially grades six through nine; and

WHEREAS, screening is a simple, painless procedure involving a thirty second visual examination by a trained person; and

WHEREAS, scoliosis, left untreated, can result in pain, a crippling spine deformity, a decrease in heart and lung functions, and a decreased life span;

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

That yearly screening for scoliosis of all children in grades six through nine be made available by the Department of Health with the cooperation of the Department of Public Instruction; and

BE IT FURTHER RESOLVED, that the North Dakota Crippled Children's Services should continue to handle referral clinics for scoliosis; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Health Department, the Department of Public Instruction, and the North Dakota Crippled Children's Services.

Filed March 19, 1981

CHAPTER 692

HOUSE CONCURRENT RESOLUTION NO. 3023
(Representative Reiten)
(Senator Stenehjem)

SUBSTANCE ABUSE STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the extent and costs of substance abuse in this state.

WHEREAS, the rate of substance abuse has risen significantly over the last two decades; and

WHEREAS, substance abuse contributes significantly to the number of North Dakota highway accidents and fatalities; and

WHEREAS, young people and Native Americans are increasingly affected by this problem; and

WHEREAS, those persons with substance abuse problems are likely in need of medical treatment for their illness; and

WHEREAS, substance abuse problems create innumerable costs to the people of North Dakota;

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

That the Legislative Council is directed to conduct a study of the extent of substance abuse in this state and what the resulting costs are to the people of North Dakota. The study should examine the status of preventive programs; alternatives for chemical dependency treatment; any problems in obtaining state approval for alternative methods of treatment; and how present programs are working.

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

Filed March 6, 1981

CHAPTER 693

HOUSE CONCURRENT RESOLUTION NO. 3027
(Unhjem)

CHILD SUPPORT AND PATERNITY LAWS STUDY

A concurrent resolution directing the Legislative Council to study the child support and paternity laws and to determine the feasibility and desirability of combining and streamlining all functions relating to the establishment and enforcement of child support, including paternity, within a single child support enforcement agency.

WHEREAS, activities within the state geared toward the enforcement of child support obligations are presently performed by numerous state and local officials and agencies; and

WHEREAS, areas of responsibility with respect to the enforcement of child support obligations are not clearly defined and are often duplicative; and

WHEREAS, the existing child support system operates in many instances without uniformity, continuity, and coordination giving rise to inefficiency and ineffectiveness; and

WHEREAS, an interim committee study by the Legislative Council with respect to the relationships, functions, capacities, and resources of the numerous entities involved in the enforcement of child support obligations will present an ideal forum for any proposed restructuring of the present system;

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

That the Legislative Council is directed to conduct a study of the child support and paternity laws, and to determine the feasibility and desirability of combining and streamlining the functions relating to the establishment and enforcement of child support obligations; and

BE IT FURTHER RESOLVED, that the Legislative Council report its recommendations together with any legislation necessary to carry out the recommendations to the Forty-eighth Legislative Assembly.

Filed March 9, 1981

CHAPTER 694

HOUSE CONCURRENT RESOLUTION NO. 3028
(Richie)

NATIONAL AGRICULTURE DAY

A concurrent resolution recognizing March 19, 1981, as National Agriculture Day.

WHEREAS, agriculture is this nation's most basic industry, and its associated production, processing, and marketing segments provide more jobs than any other single industry; and

WHEREAS, the productivity of American agriculture is a vital ingredient in our strength as a nation, both domestically and on the world scene; and

WHEREAS, to maintain a healthy agriculture it is necessary that all Americans should understand how agriculture affects their lives and well-being, and should be aware of their personal stake in an abundant food and fiber supply; and

WHEREAS, volunteers from all parts of the country will join together on March 19, 1981, in a coordinated effort to communicate the story of the modern agricultural production and distribution system to top decisionmakers, the news media, and urban audiences nationwide; and

WHEREAS, the theme for the 1981 Agriculture Day is "Agriculture: It's Your Heart Beat, America!", which focuses on the contribution agriculture makes to the United States economy; and

WHEREAS, for the first time since its original recognition in 1973, Agriculture Day has been officially proclaimed a national observance by the Ninety-sixth Congress of the United States of America;

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

That the Forty-seventh Legislative Assembly of the State of North Dakota recognizes March 19, 1981, as National Agriculture Day; and

BE IT FURTHER RESOLVED, that the Governor is urged to proclaim March 19, 1981, as National Agriculture Day in North Dakota.

Filed March 9, 1981

CHAPTER 695

HOUSE CONCURRENT RESOLUTION NO. 3029
(Representatives Swiontek, Knudson, H. Larson)
(Senators Erickson, Nelson)

EDUCATION FINANCE STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the financing of elementary and secondary schools in the continuing effort toward the goal of providing the best possible education for the students of North Dakota.

WHEREAS, inflation, declining enrollments, and other factors continue to cause increased unit costs for schools and to complicate the delivery of educational services; and

WHEREAS, court decisions and federal legislation have focused attention on the fact that the state has an obligation to provide an equal educational opportunity for all students; and

WHEREAS, changing times have resulted in changes in educational programs and curriculums, with increased emphasis on transportation and special programs having placed a greater burden on the educational dollar; and

WHEREAS, there is a need to study the financial effect on school districts of large industrial plants, both those subject to property taxes and those subject to taxes in lieu of property taxes, including a study of deductions from foundation program payments for taxes received from such plants and other sources of tax revenue; and

WHEREAS, changes in school districts and programs in recent years, together with the fact that expenditures for schools continue to accelerate, call attention to the need for a continuing study of educational finance in North Dakota in order to assure the citizens of this state the maximum return on their investment for education; and

WHEREAS, oil development and the passage of initiated measure No. 6 have, and will continue to have, substantial fiscal impacts on school districts;

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

That the Legislative Council, with the assistance of the Superintendent of Public Instruction, is hereby directed to study the entire field of the financing of elementary and secondary schools in North Dakota, with emphasis on the foundation program, the concept of funding thirty percent of educational costs by local school districts, the costs and distribution formulas for education and transportation, the effect of initiated measure No. 6 which was approved by the electorate at the November 1980, general election, the possibility of implementing a method of evaluating teachers through a merit system, and the problems of financing special and vocational education; 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 Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 696

HOUSE CONCURRENT RESOLUTION NO. 3030
(Vander Vorst)

GRASSHOPPER CONTROL ON FEDERAL LANDS

A concurrent resolution urging Congress to control grasshopper infestation on federal lands.

WHEREAS, North Dakota and other states have in the past and will in the future suffer substantial damage from the ravages of grasshopper infestation; and

WHEREAS, the federal government controls substantial amounts of uncultivated acreage, which aids and promotes grasshopper breeding and growth; and

WHEREAS, private landowners and farmers engage in programs to control and reduce grasshopper infestation on their lands; and

WHEREAS, grasshoppers from federal lands are uncontrolled and spread to private lands; and

WHEREAS, landowners and farmers should not bear the sole burden of the lack of federal control of grasshopper infestation on federal lands; and

WHEREAS, North Dakota is a primary producer of grain crops and forage for livestock production, which provides strength for the nation and for the nation's economic growth and stability;

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

That the United States Congress is urged to provide funding to federal agencies which own or control land in this state so as to reduce grasshopper infestation on these lands; and

BE IT FURTHER RESOLVED, that the United States Congress is urged to provide funding to restore the United States Department of Agriculture Plant Protection and Quarantine Program's depleted contingency fund for grasshopper control and to direct federal agencies in this state to reduce grasshopper infestations on these lands; and

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

Filed March 6, 1981

CHAPTER 697

HOUSE CONCURRENT RESOLUTION NO. 3031
(Vig)

NATIONAL ACADEMY OF PEACE
AND CONFLICT RESOLUTION

A concurrent resolution urging Congress to establish a National Academy of Peace and Conflict Resolution.

WHEREAS, the world today is increasingly troubled by international strife; and

WHEREAS, relatively recent technological advances have enabled international conflicts to have potentially disastrous consequences for all humankind; and

WHEREAS, the people of North Dakota, the "Peace Garden State", recognize the value of good international relationships and the imperative need to improve these relationships among all nations; and

WHEREAS, the resolution of conflicts, whether personal, local, national, or international, can best be accomplished by the use of trained personnel; and

WHEREAS, the systematic use of trained personnel in the resolution of international conflicts could save this nation and others countless billions of dollars and untold human suffering;

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

That the Forty-seventh Legislative Assembly urges the United States Congress to establish a National Academy of Peace and Conflict Resolution dedicated to training persons in peaceful conflict resolution techniques; and

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

Filed March 25, 1981

CHAPTER 698

HOUSE CONCURRENT RESOLUTION NO. 3032
(Matheny)

SEISMOGRAPHIC TESTING EFFECT STUDY

A concurrent resolution directing the Legislative Council to study the effect on underground water supplies of seismographic testing activities related to energy development.

WHEREAS, exploration for energy resources is increasing in a substantial portion of this state; and

WHEREAS, energy exploration techniques frequently include the drilling of deep holes for seismographic testing; and

WHEREAS, some landowners in oil exploration areas are experiencing a decline in the quality or quantity, or both the quality and quantity, of their underground water supplies; and

WHEREAS, the importance of an adequate water supply to residents in this semiarid climate is such that immediate steps should be taken to determine the relationship, if any, between seismographic testing activities and polluted or depleted ground water supplies;

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

That the Legislative Council is directed to conduct a study to determine whether, and to what extent, seismographic testing activities have a detrimental effect on underground water supplies; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, along with any legislation required to carry out its recommendations, to the Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 699

HOUSE CONCURRENT RESOLUTION NO. 3033
(Representatives Dagne Olsen, Gunderson)
(Senator Mutch)

AMERICAN AGRI-WOMEN PRESIDENT

A concurrent resolution congratulating Mrs. Philip (Evelyn) Landis on being named national president of American Agri-Women (AAW).

WHEREAS, Evelyn Landis has served on national advisory committees including the Agriculture Technical Advisory Committee to the Foreign Agricultural Service and the Advisory Board of National Farm-City Council; and

WHEREAS, she participated in the organization of the American Agri-Women (AAW) in 1974; and

WHEREAS, AAW, now representing 24,000 individuals with membership in 49 states, is organized to communicate for and about agriculture, to influence policy and legislation that concerns agriculture, and to serve as a communication outlet for farm women; and

WHEREAS, she is serving as national president of AAW from November 1979 to November 1981;

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

That the Forty-seventh Legislative Assembly of the State of North Dakota extends its very sincere and hearty congratulations to Mrs. Philip (Evelyn) Landis, Larimore, North Dakota, on being named national president of American Agri-Women (AAW); and

BE IT FURTHER RESOLVED, that the Secretary of State forward an enrolled copy of this resolution to Mrs. Evelyn Landis.

Filed February 10, 1981

CHAPTER 700

HOUSE CONCURRENT RESOLUTION NO. 3036
(Representatives O. Hanson, Houmann, Marsden)
(Senators Adams, Parker, Sorum)

SAGEBRUSH REBELLION

A concurrent resolution expressing support for the efforts of the Sagebrush Rebellion to transfer control of public lands from the federal government to the individual states.

WHEREAS, the United States government controls more than half the lands in the western states, most of which land is under the control of the Bureau of Land Management and other federal agencies, including the United States Fish and Wildlife Service and the United States Forest Service; and

WHEREAS, there has recently been growing concern among the residents of western states regarding the constitutionality of federal ownership and control and the practical efficiency of continued federal ownership and control of those public lands; and

WHEREAS, the state of North Dakota and other western states were compelled to disclaim public lands in favor of the federal government as a condition of statehood; and

WHEREAS, federal law forces ranchers and miners to compete with ecologists, environmentalists, backpackers, and protected animals; and

WHEREAS, federal law prohibits any pollution near federal recreation areas and requires the Secretary of the Department of the Interior to approve any large power development in Utah, Idaho, Nevada, and similar states, making it almost impossible to find sites for large power plants in western states; and

WHEREAS, the Federal Land Policy and Management Act of 1976 enlarged the Bureau of Land Management's power and directed the Bureau of Land Management to hold federal lands in perpetuity; and

WHEREAS, a Sagebrush Rebellion Summit Conference was held in Reno, Nevada, in November 1979, to allow state and local officials in western states to plan unified action; and

WHEREAS, the Sagebrush Rebellion has now taken the form of concerted attack through the introduction of federal legislation to transfer ownership of unreserved and unappropriated federal lands to the states, state legislation laying claim to state ownership of public lands under the control of the Bureau of Land Management, lawsuits, resolutions, and other actions;

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

That the Forty-seventh Legislative Assembly supports the efforts of the Sagebrush Rebellion to transfer ownership or control of unappropriated and unreserved public lands now under the control of the Bureau of Land Management, and lands under the control of other federal agencies such as the United States Fish and Wildlife Service and the United States Forest Service, from the federal government to the states; and

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

Filed March 25, 1981

CHAPTER 701

HOUSE CONCURRENT RESOLUTION NO. 3037
(Representative Strinden)
(Senator Nething)

BALANCED FEDERAL BUDGET

A concurrent resolution urging Congress to balance the federal budget.

WHEREAS, inflation is crippling and devastating the economies of both the state of North Dakota and of the United States; and

WHEREAS, one of the causes of inflation is deficit spending by the federal government; and

WHEREAS, each year during which the federal budget is not balanced results in increasing the national debt; and

WHEREAS, fiscal discipline is needed to restore financial responsibility at the national level;

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

That the Forty-seventh Legislative Assembly urges the Congress of the United States to reduce federal spending and balance the federal budget; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the speaker and clerk of the United States House of Representatives, the president and the secretary of the United States Senate, and each member of the North Dakota Congressional Delegation.

Filed March 29, 1981

CHAPTER 702

HOUSE CONCURRENT RESOLUTION NO. 3038
(Unhjem)

SCHOOL EXTRACURRICULAR ACTIVITY INFORMATION

A concurrent resolution requesting the Superintendent of Public Instruction to gather and provide information on the cost and income sources of extracurricular activities of elementary and secondary schools.

WHEREAS, the goal of the State of North Dakota is to provide state funds equal to 70 percent of the cost of public school education in the elementary and secondary grades; and

WHEREAS, students in these grades participate in a wide variety of extracurricular activities; and

WHEREAS, it is not known how much these extracurricular activities cost nor how much of these costs are currently paid by state funds; and

WHEREAS, current reporting by school districts to the Superintendent of Public Instruction does not include cost information on extracurricular activities; and

WHEREAS, the Legislative Assembly cannot fulfill its responsibilities without accurate data upon which to base its decisions;

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

That the Superintendent of Public Instruction is requested to require each school district to provide information on the expenses incurred for all extracurricular activities of the school district, including information on salaries, operating expenses, equipment, and capital expenditures for each type of activity, and the income sources, including ticket sales, fees, and state and local funding, for each of these extracurricular activities; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction is requested to provide a preliminary report to the Legislative Council or its designee, and a final report, including breakdowns of each of the above items, to the Forty-eighth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to the Superintendent of Public Instruction.

Filed March 19, 1981

CHAPTER 703

HOUSE CONCURRENT RESOLUTION NO. 3039
(Representative Strinden)
(Senator Nething)

COMPREHENSIVE NATIONAL ENERGY POLICY

A concurrent resolution urging the President and Congress to formulate a comprehensive national energy policy.

WHEREAS, energy costs are a major cause of the persistent inflation being experienced today in the United States; and

WHEREAS, the purchase of foreign energy supplies is causing a severe balance of trade deficit which has eroded the strength of the dollar both at home and abroad; and

WHEREAS, America's dependence on foreign sources of energy has had, and will presumably continue to have, serious adverse effects on our nation's foreign policy; and

WHEREAS, the present energy crisis is one of the most serious and persistent problems America has ever faced; and

WHEREAS, this nation's leaders must soon find a solution to the energy crisis if we as a people are to retain control of our destiny;

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

That the Forty-seventh Legislative Assembly urges the President and the Congress of the United States to formulate a comprehensive national energy policy which will:

1. Encourage a program of conservation to eliminate our dependence on foreign sources of energy;
2. Elevate the research and development of synthetic fuels to the same priority as that given to the space program during the 1960's;
3. Provide for the safe development of nuclear energy by strictly regulating the management of nuclear power plants

and by finding an acceptable solution to the problem of disposal of nuclear wastes;

4. Place greater emphasis on the development of renewable energy sources, including solar power, gasohol, and fuel from renewable agricultural products;
5. Ease the distribution of energy fuels by supporting the construction of the Northern Tier pipeline and the consequent use of North Dakota labor, American ships, and Alaskan oil; and

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

Filed March 25, 1981

CHAPTER 704

HOUSE CONCURRENT RESOLUTION NO. 3040
(Matchie)

VOLUNTEER SPIRIT

A concurrent resolution commending the volunteer spirit in the people of North Dakota and the United States.

WHEREAS, much of the humanitarian work for which we in North Dakota and the United States are justly proud is traditionally performed by unpaid volunteers; and

WHEREAS, volunteers come from and provide aid to every segment of our society; and

WHEREAS, volunteers are, in large part, responsible for the continued strength and prosperity of this state and nation; and

WHEREAS, a cursory review of man's greatest achievements will reveal a long list of volunteers, both famous and unknown, whose sole ideal was not the glorification of self, but rather the helping of others in times of need; and

WHEREAS, most major institutions, such as hospitals, schools, and churches, rely heavily on those nine out of every ten Americans who will perform some form of volunteer service during their lifetimes; and

WHEREAS, North Dakota is renowned for its quality of life and the helpful spirit of its people;

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

That the Forty-seventh Legislative Assembly recognizes the importance of the volunteer spirit and encourages the continued growth and support of this spirit throughout the state.

Filed March 4, 1981

CHAPTER 705

HOUSE CONCURRENT RESOLUTION NO. 3041
(Mattson, Berg, Mertens)

MITIGATION ACREAGE DISCUSSIONS

A concurrent resolution urging continued discussion and cooperation among state agencies, federal agencies, and the interested public to resolve expeditiously the conflict over mitigation acreage for federally assisted development projects and develop an acceptable wildlife habitat preservation and management plan for the state.

WHEREAS, North Dakota and federal agencies have been in conflict for several years over the acquisition of mitigation acreage for federally assisted development projects within the state; and

WHEREAS, significant efforts have been made during the past year by North Dakota state agencies, federal agencies, and concerned public interest groups to resolve this mitigation conflict through discussion and cooperation; and

WHEREAS, these cooperative efforts have resulted in the development of alternative approaches to mitigation and the initial development of a wildlife preservation and management plan for the state; and

WHEREAS, to the extent possible, our state's limited productive agricultural lands should be preserved to help meet society's present and future food supply needs;

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

That the Forty-seventh Legislative Assembly urges continued discussion among state agencies, federal agencies, and the interested public to resolve expeditiously the conflict over mitigation acreage for federally assisted development projects and to develop an acceptable wildlife habitat preservation and management plan for the state;

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

Filed March 23, 1981

CHAPTER 706

HOUSE CONCURRENT RESOLUTION NO. 3042
(Representatives Dagne Olsen, Gunderson)
(Senator Mutch)

GENERAL FEDERATION OF
WOMEN'S CLUBS PRESIDENT

A concurrent resolution congratulating Mrs. Don L. Shide on her election as International President of the General Federation of Women's Clubs.

WHEREAS, Mrs. Don L. Shide of Larimore, North Dakota has been elected International President of the General Federation of Women's Clubs; and

WHEREAS, the General Federation of Women's Clubs is the oldest and largest organization of volunteer women in the world with a total membership of 10,000,000 in the United States and 46 other countries; and

WHEREAS, prior to her election to national office, Mrs. Shide served in several state offices of the General Federation of Women's Clubs, including state president; and

WHEREAS, Mrs. Shide currently serves in several national positions, including service on the President's Committee for the Employment of the Handicapped, the National Board of Directors of the Medical College of Pennsylvania, CARE, American Energy Week, the National Board of Advisors of Keep America Beautiful, Outstanding Young Women of America, and Family Time;

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

That the Forty-seventh Legislative Assembly congratulates Mrs. Don L. Shide on her election as International President of the General Federation of Women's Clubs; and

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to Mrs. Don L. Shide.

Filed March 2, 1981

CHAPTER 707

HOUSE CONCURRENT RESOLUTION NO. 3043
(Kent)

P.O.W. RELEASE ACTION

A concurrent resolution urging the President of the United States and the United States Congress to take all steps necessary to secure the return of all Americans still held as prisoners of war in southeast Asia.

WHEREAS, there have been numerous confirmed sightings of Americans still being held hostage by communists as a result of the Korean and southeast Asian conflicts; and

WHEREAS, more than 2,800 American troops are still unaccounted for from the Korean and southeast Asian conflicts; and

WHEREAS, since 1973 there have been more than 4,000 individual sighting reports made with respect to Americans still being held prisoner in southeast Asia; and

WHEREAS, it can be assumed that the conditions of existence for these prisoners is deplorable at best;

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

That the Forty-seventh Legislative Assembly urges the President of the United States and the United States Congress to take all necessary action to obtain the release and return of these prisoners; and

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

Filed March 9, 1981

CHAPTER 708

HOUSE CONCURRENT RESOLUTION NO. 3044
(Representatives Dagne Olsen, Gunderson)
(Senator Mutch)

SUNFLOWER PROMOTION ACCOMPLISHMENTS

A concurrent resolution congratulating Marvin Klevberg on his accomplishments in the area of sunflower marketing and promotion.

WHEREAS, North Dakota farmers grow more sunflowers than do the farmers of any other state; and

WHEREAS, in 1980, North Dakota farmers grew 2,580,000 acres of sunflowers; and

WHEREAS, sunflowers have become a major factor in North Dakota's agricultural economy; and

WHEREAS, Marvin Klevberg of Northwood, North Dakota, organized the National Sunflower Marketing Association in 1967 and has been president of that association since its inception; and

WHEREAS, Marvin Klevberg is also a director of the North Dakota Sunflower Council as well as of the Sunflower Association of America; and

WHEREAS, Marvin Klevberg's accomplishments have paralleled the growth of sunflowers as an increasingly important factor in our state and national economies;

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

That the Forty-seventh Legislative Assembly congratulates Marvin Klevberg of Northwood, North Dakota, on his national accomplishments in the area of sunflower marketing and promotion; and

BE IT FURTHER RESOLVED, that the Secretary of State is hereby directed to present an enrolled copy of this resolution to Marvin Klevberg.

Filed March 3, 1981

CHAPTER 709

HOUSE CONCURRENT RESOLUTION NO. 3045
(Murphy)

WEAPONS LAWS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of state laws governing the possession, sale, and use of weapons.

WHEREAS, questions have arisen among local law enforcement officials, the Attorney General's office, and the public concerning ambiguous, confusing, and conflicting laws governing the possession, sale, and use of pistols, revolvers, machineguns, bombs, explosives, and other weapons in the state; and

WHEREAS, these questions have caused serious problems among local law enforcement officials and the Attorney General's office who are charged with enforcing state laws governing the possession, sale, and use of weapons; and

WHEREAS, these questions have caused serious problems for citizens who possess, sell, and use weapons and endangered the rest of the public;

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

That the Legislative Council is directed to conduct a study and review of state laws governing the possession, sale, and use of pistols, revolvers, machineguns, bombs, explosives, and other weapons for the purpose of revising and modernizing the laws in order to clarify the laws. The Legislative Council shall direct its efforts toward a revision of the substance, form, and style of current weapons statutes, toward integration and correlation of those statutes where possible, and toward deletion of outmoded or unnecessary statutory material; and

BE IT FURTHER RESOLVED, that the Legislative Council may seek the aid and assistance of the Attorney General's office, local law enforcement officials, and interested citizens; 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 Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 710

HOUSE CONCURRENT RESOLUTION NO. 3047
(Representative Strinden)
(Senator Nething)

DEVELOPMENTALLY DISABLED SERVICES STUDY

A concurrent resolution directing the Legislative Council to monitor deinstitutionalization and community service programs for developmentally disabled persons.

WHEREAS, the Forty-seventh Legislative Assembly has received budget requests calling for an additional \$13 million to expand community programs for developmentally disabled persons; and

WHEREAS, the Forty-seventh Legislative Assembly has received budget requests from the Grafton State School and San Haven for amounts approaching \$60 million for the next biennium to provide services to developmentally disabled persons requiring institutional care; and

WHEREAS, the cooperation of a number of state agencies and institutions and community providers of service is required to provide services to developmentally disabled persons; and

WHEREAS, services to such persons must be carefully planned and delivered to assure that they receive, in the least restrictive environment, the needed levels of care, treatment, and education; and

WHEREAS, a monitoring of program development during the 1981-83 biennium will help the next Legislative Assembly develop future program plans for developmentally disabled persons;

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

That the Budget Section of the Legislative Council be directed to study and monitor all aspects of the deinstitutionalization and community programs for developmentally disabled persons resulting from enactments of the Forty-seventh Legislative Assembly and make its findings and recommendations together with any necessary legislation to the Forty-eighth Legislative Assembly; and

BE IT FURTHER RESOLVED, that all state agencies, departments, and institutions provide such assistance and cooperation as may be requested by the Budget Section in conducting this study.

Filed March 6, 1981

CHAPTER 711

HOUSE CONCURRENT RESOLUTION NO. 3048
(Wald, Hughes, Murphy, Peterson, Thompson)

OIL AND GAS DEVELOPMENT ROAD EFFECTS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the effects of oil and gas development on primary and secondary roads in North Dakota.

WHEREAS, the exploration for and development of oil and gas reserves in North Dakota is increasing at a rapid rate; and

WHEREAS, the exploration for and development of oil and gas reserves require the use of heavy equipment which generally has a pernicious effect on the primary and secondary roads in the area; and

WHEREAS, the revenues from oil and gas taxation which are provided for the maintenance of primary and secondary roads appear to be inadequate to permit repair of damage caused by the transport of oil and gas equipment; and

WHEREAS, a comprehensive study is needed to determine the amount of harm caused to primary and secondary roads by the exploration for and development of oil and gas reserves and the amount of funding necessary to alleviate such harm;

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

That the Legislative Council is directed to conduct a study of the effects of oil and gas exploration and development on primary and secondary roads in North Dakota and the level and type of funding needed to alleviate those effects; 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 Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 712

HOUSE CONCURRENT RESOLUTION NO. 3049
(Kingsbury, Olafson)

TRANSMISSION LINE EFFECTS STUDY

A concurrent resolution directing the Legislative Council to study the effects of transmission lines, buried cables, oil and gas well sites, drainage and water lines, and saltwater and oil lines on present and future owners of North Dakota farmland.

WHEREAS, electrical and gas transmission lines, buried cables, oil and gas well sites, drainage and water lines, and saltwater and oil lines disturb the integrity and impair the usefulness of North Dakota's agricultural lands; and

WHEREAS, the burdens associated with these lines and sites accrue to both present and future landowners while the benefits of reimbursement are generally limited to present landowners; and

WHEREAS, the monetary remuneration for the inconvenience and hardships caused by the lines and sites is based on factors in effect at the time of the construction of the lines and sites and may not fairly compensate landowners for future inconvenience;

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

That the Legislative Council is hereby directed to conduct a study of the burdens and benefits, both present and future, associated with electrical and gas transmission lines, buried cables, oil and gas well sites, drainage and water lines, and saltwater and oil lines, particularly with respect to how these burdens and benefits relate to North Dakota's agricultural lands; 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 Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 713

HOUSE CONCURRENT RESOLUTION NO. 3050
(A. Hausauer)

OIL AND GAS DEVELOPMENT EFFECTS STUDY

A concurrent resolution directing a Legislative Council study of the effects of oil and gas exploration and development on animal life, plant life, and the quality of life in North Dakota.

WHEREAS, national and international economic factors are causing, and will continue to cause, increasingly rapid exploration for and development of oil and gas reserves in North Dakota; and

WHEREAS, while the exploration for and development of oil and gas reserves is widespread throughout this state, it is not regulated by any single level of government; and

WHEREAS, exploration for and development of oil and gas reserves may affect water availability, water quality, and air quality as well as the habitat of man, domestic livestock, wildlife, cultivated crops, and wild plants; and

WHEREAS, the extent and nature of the possible effects of oil and gas exploration and development are presently unknown; and

WHEREAS, a Legislative Council study, utilizing the resources and expertise of various state departments and agencies, could aid in determining the possible harmful effects of oil and gas exploration and development, as well as discovering available or new means of mitigating such effects;

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

That the Legislative Council is directed to conduct a study of the effects of oil and gas exploration and development on animal life, plant life, and the quality of life in North Dakota; and

BE IT FURTHER RESOLVED, that in conducting the study the Legislative Council may consult with the State Geologist, Industrial Commission, State Engineer, Water Commission, and Department of Health, and those entities are directed to give reasonable assistance to the Legislative Council; 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 Forty-eighth Legislative Assembly.

CHAPTER 714

HOUSE CONCURRENT RESOLUTION NO. 3051
(Unhjem, Meiers, Mushik, Wagner)

RECORDS MANAGEMENT AND PRINTING POLICIES STUDY

A concurrent resolution directing the Legislative Council to study records management and public printing policies of state government.

WHEREAS, it is over 20 years since an interim committee conducted a comprehensive study of records management in state government; and

WHEREAS, as a result of the last study, the 1961 Legislative Assembly passed the Records Management Act and designated the Secretary of State as the state records administrator; and

WHEREAS, state government has expanded with the creation of many new agencies and has assumed new roles and responsibilities since the original study of records management was conducted, with the result being that many of the procedures established at that time may be inadequate for current requirements; and

WHEREAS, valuable floor space is being occupied by filing cabinets throughout state government and it appears many of the files in those cabinets could be either destroyed or moved to less expensive space; and

WHEREAS, there has been a proliferation of documents, publications, and other printed material which has been created and dispensed by state agencies in recent years with little coordination among agencies;

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

That the Legislative Council is directed to conduct a comprehensive study of records management in state government, including the role of the Secretary of State as state records administrator; practices and procedures of various agencies concerning the creation, maintenance, and disposal of records; the utilization of storage space; and public printing policies of state government; and

BE IT FURTHER RESOLVED, that the director of institutions is requested to temporarily refrain from putting available space, which would be suitable for the purpose of records management and storage, to other permanent use or uses pending completion of this study; and

BE IT FURTHER RESOLVED, that the Legislative Council may call upon the Secretary of State and the Department of Accounts and Purchases for such aid and assistance as it deems necessary; 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 Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 715

HOUSE CONCURRENT RESOLUTION NO. 3052
(Unhjem, Gerl)

ELECTIONS CONSOLIDATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of consolidating city, school district, and primary elections.

WHEREAS, present law provides for separate primary, city, and school district elections; and

WHEREAS, provisions now exist in the law for the use of separate election officials and materials for each election; and

WHEREAS, different geographical boundaries and polling places are utilized in school district and city elections; and

WHEREAS, consolidation of the primary, school district, and city elections would result in financial savings;

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

That the Legislative Council is directed to conduct a study of the feasibility and desirability of consolidating the primary, school district, and city elections; 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 Forty-eighth Legislative Assembly.

Filed March 20, 1981

CHAPTER 716

HOUSE CONCURRENT RESOLUTION NO. 3053
(Mushik, Eagles, Meiers)

YOUTHFUL OFFENDER SENTENCING NEEDS STUDY

A concurrent resolution directing a Legislative Council study of the sentencing needs of the juvenile court, alternative placement needs of the State Youth Authority, and facility needs of the State Industrial School for the youthful offender who commits serious offenses or who commits repeated delinquent acts and the age and considerations for waiver from juvenile court to adult court.

WHEREAS, the sentencing provisions of the Uniform Juvenile Court Act provide only minimum terms of commitment to the State Industrial School even for serious offenses; and

WHEREAS, the State Youth Authority as well as the juvenile court need secure placement facilities as well as programs to meet the needs of specialized youthful offenders; and

WHEREAS, the lack of alternative programs for juveniles often results in inappropriate incarceration of status and traffic offenders with serious delinquent and adult prisoners; and

WHEREAS, the rehabilitative programs at the State Industrial School are not directed at the needs of serious youthful offenders who may require longer terms of commitment; and

WHEREAS, the State Industrial School does not have adequate secure facilities for offenders who pose a threat to themselves, other youth at the school, or the general public; and

WHEREAS, the State Penitentiary does not have separate programs for the rehabilitation of serious youthful offenders; and

WHEREAS, the State Penitentiary does not have the capability of separating youthful offenders from adult inmates incarcerated for serious offenses; and

WHEREAS, the interests of the public are not being served due to the lack of appropriate local facilities or programs for status

and traffic offenders and for the serious youthful offender and the youth who commits repeated delinquent acts;

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

That the Legislative Council is hereby directed to conduct a comprehensive study and evaluation of juvenile correctional facility needs, the detention and sentencing needs of the juvenile court, the appropriate jurisdiction over juvenile traffic offenders, alternative placement needs of the State Youth Authority and the appropriate age and considerations for waiver from juvenile court to adult court in the case of serious offenses; and

BE IT FURTHER RESOLVED, that within the scope of this study the Legislative Council is directed to conduct a comprehensive study and evaluation of the location of a secure facility for serious youthful offenders and appropriate rehabilitative programs at the State Industrial School and State Penitentiary for serious youthful offenders; and

BE IT FURTHER RESOLVED, that the Director of Institutions, the State Youth Authority, and such other state agencies and institutions as the Legislative Council may select shall provide such aid and assistance as the Council may request in conducting the study. The Legislative Council shall also appoint a juvenile supervisor, a state's attorney, and two citizen members to serve on the committee; and

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

Filed March 30, 1981

CHAPTER 717

HOUSE CONCURRENT RESOLUTION NO. 3056
(Representatives Backes, Strinden)
(Approved by the Committee on Delayed Bills)

FORT TOTTEN HISTORIC SITE DESIGNATION

A concurrent resolution urging the National Park Service to include Fort Totten as a national historic site.

WHEREAS, the Fort Totten State Historic Site, located approximately 12 miles southwest of the city of Devils Lake, North Dakota, on the south shore of Devils Lake on the Fort Totten Indian Reservation, and administered by the State Historical Society of North Dakota, is one of the best-preserved military posts surviving from the Indian wars of the trans-Mississippi West; and

WHEREAS, the site is significant as a military post, having been established on July 17, 1867, to help protect an overland route extending from southern Minnesota to western Montana and was located in a strategic position for national defense, serving until abandonment on November 18, 1890; and

WHEREAS, the site is significant in American Indian history, having in its earliest years filled the role of an Indian agency for the native peoples coming into the area after its establishment and from 1890 through 1960 having functioned as an Indian industrial school; and

WHEREAS, in order to avoid major building losses, the buildings on the site need major repairs and restoration work which must be undertaken immediately, a project which is beyond the current capabilities of the state of North Dakota; and

WHEREAS, the National Park Service has the professional capability and expertise to undertake the planning, restoration, and operation of this site, and such management would be in the public interest;

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

That the National Park Service is urged to include the Fort Totten State Historic Site in the national park system as a national historic site and is further urged to take immediate action to provide for the restoration and preservation of the site; and

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

CHAPTER 718

HOUSE CONCURRENT RESOLUTION NO. 3058
(Representative Kelly)
(Senator Stenehjem)

DEVELOPMENTALLY DISABLED RIGHTS STUDY

A concurrent resolution directing a Legislative Council study of guardianship and conservatorship laws and commitment procedures affecting developmentally disabled persons.

WHEREAS, many of the developmentally disabled citizens of North Dakota are capable of handling all or part of their financial affairs, consenting to medical treatment, entering into contracts, and otherwise giving legal consent; and

WHEREAS, the unique and distinct abilities of developmentally disabled citizens, including the mentally retarded, to manage their affairs may not be recognized by existing laws concerning the establishment of guardianship and conservatorship; and

WHEREAS, voluntary commitment procedures for mentally retarded citizens present legal and ethical questions regarding the ability of the person involved or his parent or guardian to consent to commitment to the Grafton State School, and present involuntary commitment procedures for mentally retarded citizens are governed entirely by criminal laws and are exercised by criminal courts of this state; and

WHEREAS, once persons are committed to the Grafton State School or to San Haven whether voluntarily or involuntarily, section 25-04-13.1 of the North Dakota Century Code automatically establishes the superintendent of the Grafton State School as the guardian and conservator of residents who do not otherwise have a parent or other guardian; and

WHEREAS, the statutory procedure so established by section 25-04-13.1 does not provide for an opportunity for a hearing, which would be otherwise provided in establishing guardianships and conservatorships pursuant to chapters 30.1-26 through 30.1-29, inclusive; and

WHEREAS, many residents of Grafton State School and San Haven may be deinstitutionalized in the next few years and placed in community programs; and

WHEREAS, a review should be made of procedures to ensure the legal rights of developmentally disabled persons in guardianship and conservatorship proceedings; and

WHEREAS, a review should be made of procedures to ensure the legal rights of mentally retarded persons in voluntary and involuntary commitment proceedings to the Grafton State School and San Haven; and

WHEREAS, a review should be made of procedures to transfer guardianships and conservatorships, and to terminate the same when necessary, over mentally retarded persons from the superintendent of the Grafton State School to other appropriate individuals when residents are transferred from the Grafton State School and San Haven to community programs, and to ensure continuity of care, transfer of necessary information, and protection of residents' legal rights and material assets;

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

That the Legislative Council is directed to conduct a study of guardianship and conservatorship laws, including section 25-04-13.1 of the North Dakota Century Code, to ensure the legal rights of developmentally disabled persons in such proceedings and to transfer and terminate the same when residents of the Grafton State School and San Haven are placed in community programs; and to conduct a study of voluntary and involuntary commitment procedures for mentally retarded persons to the Grafton State School and San Haven; 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 Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 719

HOUSE CONCURRENT RESOLUTION NO. 3059
(Mattson, A. Hausauer, Timm)

OIL AND GAS TAX DISTRIBUTION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the formula used for distributing the oil and gas gross production tax.

WHEREAS, the oil and gas gross production tax was initially imposed in 1953; and

WHEREAS, the distribution formula used for the tax revenues generated by this tax has not been changed since 1963; and

WHEREAS, collections under this tax have increased dramatically from approximately \$306,000 for fiscal year 1954 to approximately \$38,400,000 for fiscal year 1980; and

WHEREAS, the increases in prices and production of oil and gas portend significantly higher tax revenues for the future; and

WHEREAS, these changing circumstances may lead to inequities in the distribution of revenues from this tax, with some political subdivisions receiving disproportionately large allocations and other political subdivisions receiving allocations which are not adequate to meet local needs resulting from oil and gas development;

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

That the Legislative Council is hereby directed to study the formula for distributing the oil and gas gross production tax with emphasis on the adequacy and equity of such distribution, including alternative methods of placing limitations on the amounts to which any political subdivision may be entitled and methods of allocating the funds in order to meet more closely local needs resulting from oil and gas development; 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 Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 720

HOUSE CONCURRENT RESOLUTION NO. 3061
(Kretschmar, Kuchera, Mattson)

LEGISLATIVE APPORTIONMENT PLAN STUDY

A concurrent resolution directing the Legislative Council to study and develop a legislative reapportionment plan, or alternative legislative reapportionment plans, for use during the 1983 Legislative Session, or at such other time prior to that session as may be appropriate.

WHEREAS, the Legislative Assembly has the primary responsibility for reapportioning the territory of the state of North Dakota into legislative districts; and

WHEREAS, the demographic data necessary to complete the reapportionment task must come from the United States Bureau of the Census based on the 1980 decennial census; and

WHEREAS, the demographic data was not supplied by the Bureau of the Census in time for the preparation and proper legislative consideration of a reapportionment plan or plans during the scheduled time frame of the 1981 Legislative Session;

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

That the Legislative Council is directed to study legislative reapportionment, to receive, or to authorize a designee to receive, the results of a contractual reapportionment plan development being carried out by the University of North Dakota, and to be prepared to report with its proposed plan or plans as soon as possible during the legislative interim, if necessary, or to the Forty-eighth Legislative Assembly.

Filed March 20, 1981

CHAPTER 721

HOUSE CONCURRENT RESOLUTION NO. 3062
(Timm, Richard, Rued, Koski)

TRANSPORTATION PROBLEMS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of transportation problems in North Dakota.

WHEREAS, a viable and safe system of transportation in North Dakota is critical to national defense, agriculture, industry, recreation, and all citizens of and visitors to this state; and

WHEREAS, certain motorists in this state are violating state law by failing to maintain liability insurance, no-fault insurance, and other forms of compulsory insurance on their vehicles; and

WHEREAS, certain motorists in this state are violating state law and endangering the public by driving on highways and roads without valid motor vehicle operator's licenses; and

WHEREAS, local authorities are charging highly diverse fees for special permits issued for vehicles of excessive size and weight which operate on highways under their jurisdiction; and

WHEREAS, an excessive number of law enforcement vehicles are currently enforcing traffic laws and rules without adequate identification as law enforcement vehicles; and

WHEREAS, efficient and safe movement on highways and roads within the state has been impeded by an excessive number of emergency and driving lights on motor vehicles and by the timing of traffic signal lights; and

WHEREAS, many state laws governing motor vehicle equipment have become outdated due to their date of enactment and manufacturing changes and are unenforced due to the outdated nature of the laws and lack of sufficient enforcement authority for appropriate state and local government agencies; and

WHEREAS, these and other transportation problems have impaired the vital need for a viable and safe system of transportation in this state;

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

That the Legislative Council is directed to conduct a study of transportation problems in North Dakota with particular emphasis on means of enforcing compulsory motor vehicle insurance and motor vehicle operator's license statutory requirements, making special fees charged by local authorities for vehicles of excessive size and weight uniform, reducing the number of law enforcement vehicles operating without adequate identification, reducing the number of emergency and driving lights on motor vehicles, synchronizing traffic signal lights to maximize the free flow of traffic, revising and providing sufficient authority for enforcement of motor vehicle equipment laws; and

BE IT FURTHER RESOLVED, that the Legislative Assembly may seek the aid and assistance of state and local governmental officials, insurers, and interested citizens; 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 Forty-eighth Legislative Assembly.

Filed March 25, 1981

CHAPTER 722

HOUSE CONCURRENT RESOLUTION NO. 3064
(G. Pomeroy, Gates, Kuchera)

VISUALLY IMPAIRED SERVICES STUDY

A concurrent resolution directing the Legislative Council to study services to the blind and the visually impaired and the feasibility and desirability of establishing a rehabilitation teacher for the blind program.

WHEREAS, the public has a vital interest in ensuring that individuals who are blind or visually impaired develop the ability to function as independently as possible; and

WHEREAS, most individuals who are blind or visually impaired need training or assistance if they are to function independently; and

WHEREAS, rehabilitation teachers could provide home teaching services which include evaluation, counseling, adjustment training, communication training, and other rehabilitation services to the blind and the visually impaired; and

WHEREAS, a need exists to identify the number of blind and visually impaired individuals in the state of North Dakota, the location of these individuals throughout the state, the services these individuals need, and the cost of providing the necessary services;

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

That the Legislative Council is directed to conduct a study of existing services to blind and visually impaired individuals in the state of North Dakota, additional services necessary to enable the blind and the visually impaired to function independently, and the feasibility and desirability of establishing a rehabilitation teacher program to provide training and assistance to blind or visually impaired individuals; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study with the cooperation and assistance of the division of vocational rehabilitation, other relevant state agencies or institutions, and interested citizens; 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 Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 723

HOUSE CONCURRENT RESOLUTION NO. 3065 (Kretschmar)

WATER MANAGEMENT DISTRICTS STUDY

A concurrent resolution directing the Legislative Council to study and review the jurisdictional boundaries of water management districts and the selection of the management of such districts.

WHEREAS, the Legislative Assembly has declared that extensive water management powers and responsibilities at the local level are necessary ingredients in providing for effective and efficient management of the water resources of this state; and

WHEREAS, this legislative policy has been given effect by the creation of water management districts, which have been vested with extensive authority for the development, control, and regulation of the water resources of this state; and

WHEREAS, the jurisdictional boundaries of water management districts are generally established along county lines, and water management boards are presently appointed by boards of county commissioners; and

WHEREAS, the Forty-sixth Legislative Assembly adopted House Concurrent Resolution No. 3022, which directed a Legislative Council study of water management districts and legal drain boards and which resulted in proposed legislation calling for the reorganization of water management districts along watershed boundaries, the election of water managers, and a general update and modernization of existing water management statutes; and

WHEREAS, while the watershed concept is supported by the Forty-seventh Legislative Assembly, it is necessary to conduct further study of the best method to adopt watershed boundaries; and

WHEREAS, further study of the method of selection of water managers is also necessary in conjunction with the study of watersheds;

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

That the Legislative Council is hereby directed and authorized to conduct an interim study of the jurisdictional boundaries of water management districts and the selection of the management of such districts. The objective of such study shall be to determine the most effective and efficient method to provide for the management of water resources of this state at the local level on a watershed basis; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study with the cooperation and assistance of the State Water Commission, the State Engineer, the North Dakota Water Management Districts Association, and the North Dakota Association of Counties; and

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

Filed March 18, 1981

CHAPTER 724

HOUSE CONCURRENT RESOLUTION NO. 3070
(Swiontek, Black, Kent, Martinson)

CENTRAL PERSONNEL DIVISION STUDY

A concurrent resolution directing the Legislative Council to study the Central Personnel Division.

WHEREAS, there has not been a comprehensive study of the Central Personnel Division since its creation in 1975; and

WHEREAS, the division should be studied to determine whether it is achieving its goals; and

WHEREAS, new personnel system techniques may be available to promote equal pay for equal work; and

WHEREAS, it may be possible to decrease the amount of paperwork required; and

WHEREAS, the division testing procedures should be reviewed to make sure they are current and appropriate; and

WHEREAS, the division job requirements should be reviewed to assure that qualified persons can be employed on a timely basis;

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

That the Legislative Council is directed to study the Central Personnel Division and report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 725

HOUSE CONCURRENT RESOLUTION NO. 3071

(Representative Wald)

(Senator Naaden)

(Approved by the Committee on Delayed Bills)

DEPARTMENT OF ENERGY ABOLITION

A concurrent resolution urging Congress and the President to abolish the United States Department of Energy.

WHEREAS, the President has termed the current state of the national economy the worst since the Great Depression; and

WHEREAS, two of the primary factors contributing to today's economic malaise are governmental overregulation and our dependence on foreign sources of energy; and

WHEREAS, the current national energy crisis has been likened to the "moral equivalent of war"; and

WHEREAS, a lessening of our dependence on foreign sources of energy is critical to both our national economy and our national security; and

WHEREAS, the United States national energy policy is presently the responsibility of the Department of Energy; and

WHEREAS, the activities of the Department of Energy have been described as "utter chaos, with potential for real disaster"; and

WHEREAS, the Department of Energy costs the American taxpayers and consumers many billions of dollars each year, both directly and indirectly; and

WHEREAS, it is clear that the Department of Energy's regulatory activities are harming both the American consumer and American industry through ineffective, ill conceived, and inefficient overregulation;

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

That the Forty-seventh Legislative Assembly urges the United States Congress and the President of the United States to abolish the United States Department of Energy and to transfer those functions which are clearly necessary to the welfare of the people of this nation to other agencies; and

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

CHAPTER 726

HOUSE CONCURRENT RESOLUTION NO. 3072
(Berg)
(Approved by the Committee on Delayed Bills)

GARRISON DIVERSION FINANCING STUDY

A concurrent resolution directing the Legislative Council to conduct a study of financing of the remainder of the Garrison Diversion Project.

WHEREAS, the state of North Dakota has suffered the loss of thousands of acres of farmland for the construction of Missouri River reservoirs; and

WHEREAS, millions of dollars have been expended toward the completion of the Garrison Diversion Unit; and

WHEREAS, the completion of the Garrison Diversion Unit would help stabilize North Dakota's agricultural production and furnish dependable municipal and rural water supplies thereby benefiting a large portion of the state's citizens; and

WHEREAS, construction of the Garrison Diversion Unit by the federal government has been delayed numerous times with construction costs rising with each delay;

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

That the Legislative Council is directed to conduct a study of the financing of the Garrison Diversion Project through any feasible combination of revenue sources, to allow the continuation and completion of the project; and

BE IT FURTHER RESOLVED, that the Legislative Council make its report and recommendations to the Forty-eighth Legislative Assembly.

Filed March 31, 1981

CHAPTER 727

HOUSE CONCURRENT RESOLUTION NO. 3074
(Wald, Gerl, Rued)

WORKMEN'S COMPENSATION PREMIUMS STUDY

A concurrent resolution directing a Legislative Council study of the workmen's compensation wage base and premium determinations.

WHEREAS, North Dakota operates a state fund for workmen's compensation coverage; and

WHEREAS, premiums for coverage are based on the wages paid by the employer; and

WHEREAS, the maximum wage base against which premiums are paid is statutorily established; and

WHEREAS, workmen's compensation is based upon an employee's wages, subject to a statewide average; and

WHEREAS, the amount of a wage base against which premiums are assessed affects the premium levels for all occupations;

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

That the Legislative Council study the workmen's compensation program in North Dakota with respect to premium determinations and payroll limitations, with special emphasis on the effect the statutorily established maximum payroll base has on premium levels of various employers, particularly employers whose average employee wage does not exceed the statutory maximum; and

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

Filed March 20, 1981

CHAPTER 728

HOUSE CONCURRENT RESOLUTION NO. 3075
(Representatives Reiten, G. Pomeroy)
(Senator Stenehjem)
(Approved by the Committee on Delayed Bills)

GIFT TO UNIVERSITY

A concurrent resolution expressing the gratitude of the Forty-seventh Legislative Assembly to Mr. W. Kenneth Hyslop for his munificent gift to the University of North Dakota.

WHEREAS, Mr. W. Kenneth Hyslop, a North Dakota native, was born at Inkster, North Dakota, on May 19, 1885, attended the University from 1902 through 1906, and graduated with a Bachelor of Arts degree; and

WHEREAS, Mr. Hyslop, following his graduation from the University of North Dakota, started work in a copper mill earning the sum \$3.50 per day; and

WHEREAS, Mr. Hyslop rose from that humble beginning to become chairman of the board of the United States operations of Massey-Harris and vice president of the multinational parent company, Massey-Harris Limited, headquartered in Toronto, Canada; and

WHEREAS, Mr. Hyslop, who is presently retired and living in Racine, Wisconsin, has presented the University with a gift exceeding \$6 million in value; and

WHEREAS, this gift not only represents the largest gift ever made to the University but may have been among the two largest gifts to any university in the United States during 1980; and

WHEREAS, Mr. Hyslop has been recognized for believing that, through education and hard work, a person of ambition can achieve high standards of excellence, and he certainly exemplifies this belief;

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

That the Forty-seventh Legislative Assembly expresses its deep appreciation and gratitude to Mr. W. Kenneth Hyslop of Racine, Wisconsin for his generous gift to the University of North Dakota; and

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be forwarded to Mr. Hyslop by the Secretary of State.

Filed March 4, 1981

CHAPTER 729

HOUSE CONCURRENT RESOLUTION NO. 3076
(Committee on Appropriations)

LICENSE FEES STUDY

A concurrent resolution directing the Legislative Council to study and review the fees charged by state agencies, boards, and commissions to license persons, activities, and facilities.

WHEREAS, many occupations and professions are regulated by state boards or commissions and require a license to practice or engage in the occupation or profession; and

WHEREAS, persons or entities must obtain licenses issued by state agencies as a prerequisite to engaging in many activities; and

WHEREAS, many facilities must be licensed by state agencies as a condition of operation; and

WHEREAS, the license fees charged have been set piecemeal by legislative action, without consideration of comprehensive criteria, and at many different times;

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

That the Legislative Council is directed to study and review the amounts charged by the various state agencies, boards, and commissions to license persons, activities, and facilities; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study with the cooperation and assistance of any state agency, board, or commission which charges a license fee; 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 Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 730

HOUSE CONCURRENT RESOLUTION NO. 3077

(Solberg)

(Approved by the Committee on Delayed Bills)

MEDICAL EDUCATION PROGRAM MONITORING

A concurrent resolution directing the Legislative Council to monitor the University of North Dakota's planning for the establishment of a four-year medical education program in North Dakota.

WHEREAS, the North Dakota Legislative Assembly encourages the Board of Higher Education to establish a University of North Dakota four-year medical education program in North Dakota; and

WHEREAS, this will be a change from the current 2-1-1 medical education program; and

WHEREAS, a Legislative Council review during the 1981-83 interim will provide a basis for the Forty-eighth Legislative Assembly providing for the establishment of the third year in North Dakota during the 1983-85 biennium;

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

That the Legislative Council is directed to monitor the University of North Dakota Medical School's preparation during the 1981-83 interim to establish the third year of its program in North Dakota in the fall of 1983; and

BE IT FURTHER RESOLVED, that the University of North Dakota Medical School provide such assistance to the Legislative Council as the Council may determine necessary in conducting that study; and

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

Filed March 20, 1981

CHAPTER 731

HOUSE CONCURRENT RESOLUTION NO. 3078
(Martinson)
(Approved by the Committee on Delayed Bills)

JUDICIAL RETIREMENT STUDY

A concurrent resolution directing the Legislative Council to conduct a study of judicial retirement for North Dakota Supreme Court justices and district court judges.

WHEREAS, North Dakota Supreme Court justices and district court judges are presently members of either the judicial retirement program established under chapter 27-17 of the North Dakota Century Code, or members of the Public Employees Retirement System established under chapter 54-52 of the North Dakota Century Code; and

WHEREAS, the retirement benefits provided by these programs to judges of the same classification are unequal; and

WHEREAS, retirement needs of judges may differ from those of other public employees;

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

That the Legislative Council is hereby directed to conduct a comprehensive study of judicial retirement; and

BE IT FURTHER RESOLVED, that the Legislative Council may call on the staff of the Public Employees Retirement System, members and staff of the judicial branch of government, and other persons for necessary assistance, and may, if necessary, seek actuarial consulting assistance; 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 Forty-eighth Legislative Assembly.

Filed March 20, 1981

CHAPTER 732

HOUSE CONCURRENT RESOLUTION NO. 3079

(Richie)

(Approved by the Committee on Delayed Bills)

AMERICAN LEGION WORLD SERIES BID

A concurrent resolution endorsing the Fargo American Legion and its baseball committee in their bid to the National American Legion Americanism Commission to host the 1983 World Series of American Legion Baseball at Jack Williams Stadium in Fargo, North Dakota.

WHEREAS, the National American Legion Americanism Commission must select a site to host the 1983 World Series of American Legion Baseball; and

WHEREAS, Jack Williams Stadium in Fargo, North Dakota, has excellent playing, seating, concession, and parking facilities for a baseball tournament; and

WHEREAS, the Fargo American Legion (Gilbert C. Grafton Post No. 2) has an active and successful baseball program with widespread participation and support; and

WHEREAS, the Fargo American Legion has used its facilities and program to host an American Legion regional baseball tournament in the past; and

WHEREAS, the Fargo American Legion and its baseball committee have been actively engaged in a bid to the National American Legion Americanism Commission to host the 1983 World Series of American Legion Baseball at Jack Williams Stadium in Fargo, North Dakota; and

WHEREAS, the citizens of the city of Fargo and the state of North Dakota overwhelmingly support the Fargo American Legion and its baseball committee in their bid to host the 1983 World Series of American Legion Baseball;

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

That the North Dakota Legislative Assembly endorses the Fargo American Legion (Gilbert C. Grafton Post No. 2) and its baseball committee in their bid to the National American Legion Americanism Commission to host the 1983 World Series of American Legion Baseball at Jack Williams Stadium in Fargo, North Dakota;

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the National American Legion Americanism Commission and the Fargo American Legion (Gilbert C. Grafton Post No. 2).

CHAPTER 733

HOUSE CONCURRENT RESOLUTION NO. 3080
(Marsden)
(Approved by the Committee on Delayed Bills)

OMNIBUS SMALL BUSINESS CAPITAL FORMATION
ACT OF 1981

A concurrent resolution urging Congress to enact the Omnibus Small Business Capital Formation Act of 1981.

WHEREAS, small businesses constitute 97 percent of all businesses in the United States; and

WHEREAS, small business is responsible for over seven million new jobs created in the past 10 years; and

WHEREAS, the entrepreneurial spirit of American small business serves as an example in capital formation to the rest of the world; and

WHEREAS, small business in this country is at a comparative disadvantage in relation to larger enterprises in retaining and having access to capital; and

WHEREAS, this disadvantage is exacerbated by a highly discriminatory national tax policy and a deteriorating economic situation;

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

That the Forty-seventh Legislative Assembly urges the United States Congress to enact the Omnibus Small Business Capital Formation Act of 1981; and

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 20, 1981

CHAPTER 734

HOUSE CONCURRENT RESOLUTION NO. 3081
(Representative Strinden)
(Senator Nething)

COMPLETION OF LEGISLATIVE JOURNALS

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

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

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

That Roy Gilbreath, Chief Clerk of the House, and Leo Leidholm, Secretary of the Senate, are hereby authorized and employed to prepare an index of journals of the Forty-seventh Legislative Assembly, and are also directed to arrange for and procure sufficient assistance to ensure that the foregoing work shall be completed within 30 days after the close of the session; and

BE IT FURTHER RESOLVED, that for the expenses of the said Roy Gilbreath and Leo Leidholm, in completing the work required above, there shall be allowed the sum of \$3,300 each, which shall include compensation for any assistance which they deem necessary, all to be paid as other legislative expense is paid, and when the respective claims are verified by the affidavits of the said Roy Gilbreath and Leo Leidholm showing completion of such work.

Filed March 25, 1981

CHAPTER 735

HOUSE CONCURRENT RESOLUTION NO. 3083
(Meiers, Sorum)

UNITED STATES JAYCEETTES PRESIDENT

A concurrent resolution congratulating Jan Zook on her election as president of the United States Jayceettes.

WHEREAS, Jan Zook of Bowbells, North Dakota, has been elected president of the United States Jayceettes; and

WHEREAS, the United States Jayceettes is a service organization which was founded in 1974 and currently has 55,000 members in 3,400 chapters across the nation; and

WHEREAS, prior to her election to national office, Mrs. Zook served in several local and state offices of the Jayceettes, including state president; and

WHEREAS, as president of the United States Jayceettes, Mrs. Zook has visited 30 states and has helped raise thousands of dollars for such programs as Muscular Dystrophy, March of Dimes, St. Jude's Children Research Hospital, Juvenile Diabetes, and Cystic Fibrosis.

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

That the Forty-seventh Legislative Assembly congratulates Jan Zook on her election as president of the United States Jayceettes; and

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to Jan Zook.

Filed March 30, 1981

CHAPTER 736

HOUSE CONCURRENT RESOLUTION NO. 3084
(Melby, Hedstrom, Dagne Olsen, Wald)
(Approved by the Committee on Delayed Bills)

HUMAN LIFE CONSTITUTIONAL AMENDMENT

A concurrent resolution urging the United States Congress to propose an amendment to the United States Constitution to protect human life.

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

That the Forty-seventh Legislative Assembly of the State of North Dakota urges the United States Congress to pass a resolution proposing an amendment to the Constitution of the United States to protect all human life.

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

Filed April 3, 1981