

SENATE CONCURRENT RESOLUTIONS

CHAPTER 740

SENATE CONCURRENT RESOLUTION NO. 4001
(Legislative Council)
(Interim Judiciary "A" Committee)

TRUST AND EQUITY JURISDICTION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the extent of the jurisdiction of the district and new county courts over trusts, equitable matters, and provisional remedies.

WHEREAS, the Forty-seventh Legislative Assembly has adopted a bill draft which provides for a new county court structure; and

WHEREAS, there is a question of whether the new county court would have jurisdiction over the equitable matters provided for in Title 33; and

WHEREAS, the 1979-80 interim Judiciary "A" Committee wanted a study done of the advantages of transferring all jurisdiction over trusts, except implied or constructive trusts, to the new county courts;

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

That the Legislative Council is hereby directed and authorized to study the subject of trusts, equity jurisdiction, and provisional remedies, with emphasis on the appropriate jurisdiction of the new county courts; and

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

Filed March 19, 1981

CHAPTER 741

SENATE CONCURRENT RESOLUTION NO. 4009
(Legislative Council)
(Legislative Audit and Fiscal Review Committee)

ACCOUNTING AND FINANCIAL REPORTING SYSTEM IMPROVEMENTS

A concurrent resolution directing improvements to the state of North Dakota's accounting and financial reporting system.

WHEREAS, the Legislative Council was directed by the Forty-sixth Legislative Assembly to conduct a study of the state's accounting system; and

WHEREAS, the Legislative Audit and Fiscal Review Committee selected Arthur Andersen & Co., a recognized accounting firm, to study the state's financial and reporting system with the assistance of state personnel; and

WHEREAS, the present cash basis accounting system does not provide the fiscal information state decisionmakers need; and

WHEREAS, the present accounting and financial reporting system is not in accordance with generally accepted accounting principles; and

WHEREAS, the present state payroll system is outdated and in need of revision; and

WHEREAS, comprehensive financial statements of the state of North Dakota are not available; and

WHEREAS, the development and maintenance of the state accounting system should be coordinated by a single agency; and

WHEREAS, the development of a coordinated mechanized accounting and reporting system would eliminate the need for substantial manual effort in the preparation of financial reports and financial statements;

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

That the Forty-seventh Legislative Assembly directs the Department of Accounts and Purchases to take such action as may be necessary within the limits of legislative appropriations to develop an accrual accounting system for the state of North Dakota, to coordinate and assist in improving and maintaining accounting systems for state agencies, departments, and institutions, and to the extent possible prepare on an annual basis comprehensive financial statements of the state of North Dakota; and

BE IT FURTHER RESOLVED, that the Department of Accounts and Purchases within the limits of legislative appropriations develop an indirect cost allocation plan relating to federal funds received by state agencies and institutions, and that when completed all state agencies and institutions utilize such plan.

CHAPTER 742

SENATE CONCURRENT RESOLUTION NO. 4011
(Senator Hanson)
(Representative Swiontek)

CANADIAN NATURAL GAS RATE RELIEF ASSISTANCE

A concurrent resolution urging the North Dakota Public Service Commission to assist in efforts to obtain rate relief from high priced Canadian natural gas and to reduce or eliminate dependence on Canadian natural gas by replacing imported natural gas with domestic natural gas.

WHEREAS, a number of North Dakota cities, school districts, industries, and citizens are dependent on Canadian natural gas as their only source of heating fuel; and

WHEREAS, the consumer cost varies considerably between imported Canadian natural gas and domestic natural gas due to Canada's goal of keeping its natural gas exports priced at levels corresponding to the current world price of oil; and

WHEREAS, efforts to equalize rates between imported Canadian natural gas in North Dakota and domestic natural gas in Minnesota may result in lengthy court action and provide no relief to North Dakota citizens;

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

That the Forty-seventh Legislative Assembly urges the North Dakota Public Service Commission to assist in efforts to reduce rates on imported Canadian natural gas; and

BE IT FURTHER RESOLVED, that the North Dakota Public Service Commission is also urged to assist in community, industry, and citizen efforts to reduce or eliminate North Dakota's dependence on Canadian natural gas by:

1. Petitioning the Federal Economic Regulatory Administration and the Federal Energy Regulatory Commission to effect changes in existing tariffs which would allow transport of domestic natural gas through the pipeline presently transporting only Canadian natural gas.
2. Assisting in securing a permanent supply of domestic natural gas for those areas of North Dakota currently supplied by imported Canadian natural gas.
3. Assisting the pipeline transmission companies transporting Canadian natural gas and the Canadian government in contract concerns relating to transporting of American natural gas in existing pipelines.

BE IT FURTHER RESOLVED, that the Public Service Commission may use this resolution as a presentation document to indicate the concern of the North Dakota Legislative Assembly.

CHAPTER 743

SENATE CONCURRENT RESOLUTION NO. 4015
(Erickson)

AVIATION WEATHER BRIEFING PHONE LINE

A concurrent resolution calling for a statewide, toll-free zenith telephone system for aviation weather briefings from Federal Aviation Administration flight service stations in North Dakota.

WHEREAS, North Dakota has 1,620 general aviation aircraft and helicopters located in eight regions in the state in which the aircraft owners and pilots are in need of real-time aviation weather information before beginning a flight; and

WHEREAS, North Dakota has 100 publicly and 450 privately owned airports many of which are located in rural areas of the state where aircraft are based, and the owners and pilots of these aircraft are in need of current enroute and destination aviation weather information before beginning a flight; and

WHEREAS, in North Dakota there are over 4,000 licensed pilots which are in need of current aviation weather briefings from time to time; and

WHEREAS, general aviation aircraft are based throughout the state in all 53 counties in eight regions with regional aircraft density ranging from a high of 327 aircraft in the Fargo region to a low of 106 aircraft in the Devils Lake region with an average of 203 aircraft for each of the eight regions covering the state of North Dakota; and

WHEREAS, during the past five years, North Dakota has had 29 fatalities of pilots and passengers in general aviation aircraft accidents of which 17 fatalities were directly associated with adverse aviation weather conditions; and

WHEREAS, many of North Dakota's general aviation aircraft accidents associated with weather could have been prevented if the pilot had ready access to real-time aviation weather before beginning a flight; and

WHEREAS, in the 11 months beginning January 1 and ending November 30, 1980, official records show that over 114,000 telephone calls were made by North Dakota pilots to Federal Aviation Administration flight service stations located at Dickinson, Grand Forks, Jamestown, and Minot, requesting aviation weather briefings, and in addition 6,800 telephone calls were made to the National Weather Service offices at Bismarck, Fargo, and Williston requesting aviation weather briefings; and

WHEREAS, general aviation accidents, loss of lives, and aircraft and property loss in North Dakota could be substantially reduced, if aviation weather information were made readily available to all general aviation aircraft owners and pilots in North Dakota;

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

That the director of the Rocky Mountain Region of the Federal Aviation Administration, Denver, Colorado, is hereby urged to install a statewide, toll-free zenith telephone system in North Dakota, which would permit any pilot or aircraft owner to call the Federal Aviation Administration flight service stations in North Dakota for aviation weather briefings, at no cost to the pilot or the state of North Dakota; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the director of the Federal Aviation Administration, Rocky Mountain Region; director of the Federal Aviation Administration, Washington office; and each member of the North Dakota Congressional Delegation.

Filed January 30, 1981

CHAPTER 744

SENATE CONCURRENT RESOLUTION NO. 4017
(Erickson, Solberg)

FEDERAL AVIATION ADMINISTRATION
FIELD OFFICE MAINTENANCE

A concurrent resolution urging the Federal Aviation Administration to maintain its airport field office in Bismarck.

WHEREAS, representatives of the Federal Aviation Administration's Denver regional office are considering closing the FAA's airport field office in Bismarck; and

WHEREAS, the objectives in closing the office appear to be an attempt to save money and to improve FAA service over the entire federal region; and

WHEREAS, most airport construction projects are built with a large percentage of federal funds and local governments seek grants from the FAA to construct projects such as runway lengthening or airport terminal improvement; and

WHEREAS, North Dakota engineers seek assistance from the Bismarck office in drawing specifications for proposed projects and also consult with the Bismarck office during construction to ensure that projects meet federal requirements; and

WHEREAS, the location of the FAA airport field office in North Dakota reduces delays caused in attempting to communicate with federal offices located in Denver or other regional locations; and

WHEREAS, increased travel and project costs created by a shift in the location of the airport field office to Denver probably would offset any savings;

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

That the Forty-seventh Legislative Assembly urges the Federal Aviation Administration to maintain its airport field office in Bismarck, North Dakota; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the director of the Federal Aviation Administration, Washington office; director of the Federal Aviation Administration, Rocky Mountain Region; chief of the Federal Aviation Administration's Denver-based airport division; and each member of the North Dakota Congressional Delegation.

CHAPTER 745

SENATE CONCURRENT RESOLUTION NO. 4018
(Hanson)

AUTOMOBILE INSURANCE RATING STUDY

A concurrent resolution requesting the Commissioner of Insurance to study insurance rates and rating procedures for automobile drivers under 25 years of age.

WHEREAS, single male drivers under 25 years of age pay more for automobile insurance than single female drivers in the same age group; and

WHEREAS, this insurance price differential exists even if a male and female driver have identical driving records; and

WHEREAS, insurance pricing is based on risk assessment factors of territory, classification, age and symbol relativities, and underwriting; and

WHEREAS, the risk assessment factor of classification primarily involves the insured's age, sex, and marital status; and

WHEREAS, casualty and other forms of motor vehicle insurance rates should not rely on age, sex, or marital status; and

WHEREAS, North Dakota Century Code Section 26-28-05 authorizes the Commissioner of Insurance to disapprove casualty insurance rate filings;

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

That the Forty-seventh Legislative Assembly requests the Commissioner of Insurance to study insurance rates and rating procedures for automobile drivers under 25 years of age. The study should specifically address the use of age, sex, and marital status as insurance rating factors; and

BE IT FURTHER RESOLVED, that the Commissioner of Insurance report the results of this study by July 1, 1982, to an interim committee of the Legislative Council, designated by the chairman of the Legislative Council.

Filed March 19, 1981

CHAPTER 746

SENATE CONCURRENT RESOLUTION NO. 4019
(Senators Nething, Redlin)
(Representatives Strinden, Backes, Peterson)

PRESIDENTIAL INAUGURATION ATTENDANCE

A concurrent resolution authorizing the Speaker of the House and the majority and minority Senate and House leaders, or their designees, to attend the presidential inauguration, excusing their absence, and authorizing expenditure of moneys from the legislative appropriation necessary to cover their expenses.

WHEREAS, the inauguration of Ronald Reagan as the 40th President of the United States will be on January 20; and

WHEREAS, the presidential inauguration symbolizes democracy in action and freedom in the selection of our nation's leaders; and

WHEREAS, harmonious relationships between the three coequal branches of government on the state and federal levels are vital to the success of our democratic society; and

WHEREAS, important decisions which may greatly alter the future course of events in North Dakota will be made by the President and the executive branch in the next four years; and

WHEREAS, the spirit of goodwill and cooperation between the various branches of state and federal government can be demonstrated by legislative representation at the presidential inauguration during this important period in North Dakota history;

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

That the Speaker of the House and the majority and minority leaders of the House and the Senate, or their designees, are authorized to attend the presidential inauguration in Washington, D.C., on January 20; and

BE IT FURTHER RESOLVED, that the Senate and the House excuse the absence of those members attending the inauguration and authorize the expenditure of such sums as are reasonably necessary from the legislative appropriation to cover their expenses incurred as a result of such attendance.

Filed January 15, 1981

CHAPTER 747

SENATE CONCURRENT RESOLUTION NO. 4021
(Holmberg)

EMANCIPATED MINORS' RIGHTS STUDY

A concurrent resolution directing the Legislative Council to study the need for the creation of statutory rights and responsibilities for emancipated minors, and for the creation of judicial remedies attendant thereon.

WHEREAS, minor citizens of the state of North Dakota often leave their parental homes before attaining the age of 18 years; and

WHEREAS, these minors are often employed, self-supporting, or are married; and

WHEREAS, these minors are legally unable to enter into binding contracts, thus severely limiting their ability to participate fully as responsible citizens;

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

That the Legislative Council is directed to make a comprehensive study of the need for the creation of statutory rights and responsibilities for emancipated minors, and for the creation of judicial remedies attendant thereon; and

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

Filed March 19, 1981

CHAPTER 748

SENATE CONCURRENT RESOLUTION NO. 4023
(Erickson, Tennefos)

ROAD FINANCES STUDY

A concurrent resolution directing the Legislative Council to study the immediate and future availability of the financial resources needed for the construction, reconstruction, repair and maintenance of the various roads, streets and highways of the state.

WHEREAS, the Thirty-third Legislative Assembly in enacting section 24-01-01 of the North Dakota Century Code, declared, in part, that adequate roads and streets generally promoted the economic and social progress of the state and therefore, an adequate and integrated system of roads and streets were deemed essential to the welfare of the State of North Dakota; and

WHEREAS, the state and local entities charged with providing an adequate and integrated system of roads and streets have been confronted with the economic dilemma caused by rapidly escalating costs for the construction, reconstruction, repair and maintenance of the roads and streets, while simultaneously traditional sources of revenues for such undertakings have failed to offset these increased costs; and

WHEREAS, the state is currently experiencing intense activity in the exploration, development and utilization of its energy related natural resources, accompanied by a significant growth in the manufacturing and processing of agricultural products, which activities mandate an efficient transportation system; and concurrent with such increase in economic activity, the state has incurred a substantial loss in its transportation system by virtue of the abandonment and proposed abandonment of railroad main lines, branch lines and segments of branch lines throughout the state; and

WHEREAS, the primary source of funding for the construction, reconstruction, repair and maintenance of the roads and streets have been user fees derived from the motor fuel tax, special fuel taxes, and registration fees, and such sources of revenue will diminish by the mandates of the federal government for lighter and fuel efficient motor vehicles, which will result in reduced motor fuel and special fuels taxes, together with reduced registration fees; and

WHEREAS, it is foreseeable that the existing concept of generating revenues for the construction, reconstruction, repair and maintenance of the roads and streets of this state will be inadequate to provide for the current and future transportation demands placed upon the road and street systems of this state;

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

That the Legislative Council is directed to study the present methods of providing for the financing for the construction, reconstruction, repair and maintenance of roads and streets at all governmental levels and in conjunction therewith, study alternative and additional methods available for the generation of revenues for the same purpose, thereby providing the funding for long term planning in the development and maintenance of the various roads and streets of the state at each governmental level for the general economic welfare of the state; and

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

Filed March 16, 1981

CHAPTER 749

SENATE CONCURRENT RESOLUTION NO. 4024
(Senator Nething)
(Representative Strinden)

Y.M.C.A. MODEL LEGISLATURE

A concurrent resolution expressing the support of the Forty-seventh Legislative Assembly and urging cooperation for the Young Men's Christian Association model legislature program.

WHEREAS, the first YMCA State Youth and Government Program was initiated in New York in 1936, and since that time over forty states have developed similar programs; and

WHEREAS, the purpose of the YMCA's model legislature program is to enhance development of the American democratic system by enabling young people to prepare for moral and political leadership through training in the theory and practice of determining public policy; and

WHEREAS, the YMCA model legislature held following the 1979 legislative session was a successful event allowing numerous young North Dakotans to gain a better understanding of the legislative process; and

WHEREAS, having such a program continue in this state can provide a major vehicle to help young people to really know about and become interested in government and the citizen's role in it; and

WHEREAS, among the goals for youth involvement in such a program are the development of confidence in and dedication to the democratic process, the gaining of communications skills, the learning of accountability and respect for other's rights, and the application of moral and ethical valuation processes to public policymaking;

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

That the Forty-seventh Legislative Assembly express its support for the YMCA model state legislature to be held on Saturday and Sunday, April 25-26, 1981, at the State Capitol in Bismarck; and

BE IT FURTHER RESOLVED, that those members of the Senate and House who are requested to participate in the program make every effort to arrange their schedules to be able to do so, and that the staff of the Legislative Council and the Director of Institutions' office render such reasonable assistance as may be necessary to make the program a success.

CHAPTER 750

SENATE CONCURRENT RESOLUTION NO. 4025
(Senator Nething)
(Representative Strinden)

IRANIAN HOSTAGE RELEASE RELIEF

A concurrent resolution expressing the gratitude and relief of the Forty-seventh Legislative Assembly at the recent release of the Iranian hostages.

WHEREAS, the citizens of the United States have been held hostage in Iran contrary to international law since November 4, 1979; and

WHEREAS, the release of the hostages on Tuesday, January 20, 1981, represents an answer to the prayers of the citizens of this nation and of people throughout the world; and

WHEREAS, it is fitting that the North Dakota Legislative Assembly give public expression of gratitude and relief that the 52 American citizens held against their will have been released and will be coming home to their loved ones; and

WHEREAS, the Forty-seventh Legislative Assembly wishes to express its support for any future actions which might be taken by the national government to ensure that such incidents will not occur in the future;

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

That the Forty-seventh Legislative Assembly publicly expresses, by adoption of this resolution, its relief and gratitude that the 52 American citizens held hostage in Iran for the past 14 months have been released; and

BE IT FURTHER RESOLVED, that the Forty-seventh Legislative Assembly expresses its support for action or plans by the federal government designed to prevent a future occurrence of a situation similar to the Iranian hostage situation.

Filed January 30, 1981

CHAPTER 751

SENATE CONCURRENT RESOLUTION NO. 4029
(Albers, Adams, Iszler, Moore, Roen)

LEAFY SPURGE ERADICATION PROGRAM

A concurrent resolution urging Congress to direct and adequately fund the Department of Agriculture to establish a task force to eradicate leafy spurge on all federal lands and a cost-sharing program to eradicate leafy spurge on all nonfederal lands.

WHEREAS, leafy spurge, *euphorbia esula* L, currently infests over 600,000 acres in North Dakota and over 2.5 million acres in the United States; and

WHEREAS, leafy spurge infestation is rapidly increasing, reducing or eliminating crop yields, and endangering man and animals, thereby increasing food prices and decreasing food supplies at a time of high inflation and food shortages at home and abroad; and

WHEREAS, leafy spurge control is physically difficult, tremendously expensive with costs ranging from \$35 to \$210 per acre or over \$10.5 million in 1978, and requires inventory, research, control, education, and planning to be effective; and

WHEREAS, the federal government currently controls over one-half of the land in the western states through the Bureau of Land Management, United States Forest Service, national parks and monuments, military installations, and Indian reservations; and

WHEREAS, the federal government has not adequately controlled leafy spurge infestation on federal lands due to a lack of funding, interest, and effort and a highly divided approach by federal agencies;

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

That the Forty-seventh Legislative Assembly urges the United States Congress to place total responsibility for leafy spurge control on all federal lands in the United States with the Department of Agriculture; and

BE IT FURTHER RESOLVED, that the Forty-seventh Legislative Assembly urges the United States Congress to direct and adequately fund the United States Department of Agriculture to establish a task force whose sole purpose is to develop an economic and effective means to control leafy spurge through research, education, planning, and other necessary action; and

BE IT FURTHER RESOLVED, that the Forty-seventh Legislative Assembly urges the United States Congress to direct and adequately fund the United States Department of Agriculture to establish a cost-sharing program for the eradication of leafy spurge on all nonfederal lands; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Department of Agriculture, the chairmen of the Senate and House Committee on Agriculture, and each member of the North Dakota Congressional Delegation.

Filed March 16, 1981

CHAPTER 752

SENATE CONCURRENT RESOLUTION NO. 4033
(Melland)

SPECIAL LEGISLATIVE SESSION PROCEDURE

A concurrent resolution establishing the procedures for the Legislative Assembly to call itself into a reconvened session, relating to the call of the special session by the governor, speaking to the role of legislative standing committees, and relating to other matters of legislative procedure.

WHEREAS, the Constitution of the State of North Dakota authorizes the Legislative Assembly to meet for not to exceed 80 natural days during the biennium; and

WHEREAS, fewer than 80 natural days are usually used in a regular session; and

WHEREAS, the Legislative Assembly has the responsibility to the people of the State of North Dakota to carry out its policymaking responsibilities, and to respond to the press of current events; and

WHEREAS, the Legislative Assembly ought to provide a means whereby a governor can have some assurance that he can call a limited special session, if necessary; and

WHEREAS, a means should be established to permit the Legislative Assembly to exercise its constitutional responsibilities to meet problems in situations which may develop during the approximately 20 months between regular biennial legislative sessions;

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

That adjournment of the Forty-seventh Legislative Assembly shall be subject to and in accordance with the provisions of this resolution; and

BE IT FURTHER RESOLVED, that a special session called by the governor may be in accordance with the procedures set out in this resolution and Joint Legislative Rule 901; and

BE IT FURTHER RESOLVED, that the procedures listed below may be followed subsequent to adjournment of the 1981 regular session of the Forty-seventh Legislative Assembly:

1. The governor may, pursuant to Joint Legislative Rule 901 and this resolution, call the Legislative Assembly into special session for a stated purpose or purposes, and the Legislative Assembly shall limit itself to consideration of those measures which relate to the purpose or purposes stated by the governor in his special session call.
2. The Legislative Council upon a majority vote of the statutory membership at a regular or special meeting may call the Legislative Assembly back into continued regular session, in accordance with such procedure as the Legislative Council may adopt.
3. Upon receipt of a petition for a continued regular session signed by 33 members of the Senate and 67 members of the House of Representatives, the Legislative Council shall meet and shall issue a call to convene in continued regular session in accordance with the terms of the petition, or, if no convening date is set in the petition, the call shall be to convene at a date not more than 60 days from the date the petition is received. A petition is received under this subsection on the date it is filed with the Legislative Council staff.
4. The legislative officers and committee structure in office or in effect upon adjournment of the regular session of the Forty-seventh Legislative Assembly shall continue throughout any session called pursuant to this concurrent resolution or by the governor under his authority set out in article V, section 5 of the Constitution, unless altered by resignation, vacancy, or changes made by the Legislative Assembly in special session or in a session called pursuant to this concurrent resolution.
5. The call of a continued regular session by the Legislative Council may include the following:
 - a. A limit on the time during which the session may meet.
 - b. A limit on the subject matter which may be considered.
 - c. A limit on the bills which may be introduced.
 - d. Provision for meetings of specified standing committees or joint committees at legislative expense prior to the convening of the session being called for the purpose of considering bills to be the subject matter of the called session.
6. The standing committees of the Legislative Assembly may meet in joint session following adjournment of the regular session of the Forty-seventh Legislative Assembly if directed to do so by the Legislative Council. The standing committees may be assigned draft bills to be considered at any forthcoming continuation or special session; or they may be, in the discretion of the Legislative Council, assigned interim study resolutions or other study assignments. Meetings of standing committees pursuant to this resolution shall be paid for from the appropriation to the Legislative Assembly, and shall be staffed, to the extent personnel are available, by the Legislative Council staff.

CHAPTER 753

SENATE CONCURRENT RESOLUTION NO. 4034
(Committee on Appropriations)

BLOCK GRANT STATE AID DISPENSATION

A concurrent resolution urging Congress to dispense aid to the state in the form of block grants.

WHEREAS, there has been a decrease in the amount of federal funds appropriated to the states in the form of grants; and

WHEREAS, federal regulations governing the expenditure of those moneys have not decreased; and

WHEREAS, moneys dispensed in the form of block grants would reduce federal regulations and allow the state to decide how federal grants can best be utilized in state programs;

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

That the Forty-seventh Legislative Assembly urges the United States Congress to appropriate and authorize expenditure of federal moneys in the form of block grants to the several states; and

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

Filed March 10, 1981

CHAPTER 754

SENATE CONCURRENT RESOLUTION NO. 4038
(Senators Nething, Redlin)
(Representative Strinden)

GARRISON DIVERSION PROCESSION

A concurrent resolution urging the United States Secretary of the Interior to proceed with phased construction of, and to seek consultations on, the authorized Garrison Diversion Unit.

WHEREAS, the Garrison Diversion Unit is authorized and funded as a multipurpose water resource development project; and

WHEREAS, the Garrison Diversion Conservancy District has adopted a program for phased development of the project as authorized, with the initial construction of 5,000 acres of irrigation features within the James River Basin; and

WHEREAS, this program of phased development includes a cooperative research and monitoring program consistent with the International Joint Commission's recommendations for conditions precedent to proceeding with project construction; and

WHEREAS, consultations between the United States and Canada have been proposed to discuss certain features of the Garrison Diversion Project;

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

That the Forty-seventh Legislative Assembly supports phased development of the authorized and funded Garrison Diversion Unit and urges the United States Secretary of the Interior to proceed with its construction; and

BE IT FURTHER RESOLVED, that the Secretary of Interior is urged to recommend that any consultations with Canada concern the features of the authorized 250,000 acre unit; and

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

Filed March 13, 1981

CHAPTER 755

SENATE CONCURRENT RESOLUTION NO. 4039
(Iszler, Nelson, Vosper)

SOIL STEWARDSHIP

A concurrent resolution requesting the Secretary of Agriculture to ensure that federal farm programs neither require nor encourage cultivation of highly erosive land.

WHEREAS, agriculture is the source of a substantial portion of the new wealth created annually in North Dakota; and

WHEREAS, farmers and ranchers are a vital link between managing the soil resource for agricultural production and our ultimate food supply; and

WHEREAS, North Dakota farmers and ranchers must often base their management decisions on programs administered by the United States Department of Agriculture (USDA); and

WHEREAS, USDA farm programs often seem to conflict with the adoption and maintenance of sound soil and water conservation practices; and

WHEREAS, due to severe erosion potential, the cultivation of soils largely suited to pasture, range, and woodland uses should be avoided to guard against serious losses of topsoils; and

WHEREAS, it is essential that the stewardship ethic be stressed through voluntary programs to maintain soil productivity of all types of land for present and future generations; and

WHEREAS, federal farm programs should encourage the stewardship of all soils regardless of their capability;

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

That the Forty-seventh Legislative Assembly requests the Secretary of Agriculture to review federal farm programs and, where necessary, to revise such programs so that incentives for participation in disaster relief programs, crop insurance programs, or any other federal farm programs do not encourage the cultivation of highly erosive land; and

BE IT FURTHER RESOLVED, that the Secretary of Agriculture encourage provisions in federal farm programs which allow greater administrative flexibility at the state and local levels to allow for improved soil resource management; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of Agriculture; the administrators of the Agricultural Stabilization and Conservation Service, the Federal Crop Insurance Corporation, and the Soil Conservation Service; and the members of the North Dakota Congressional Delegation.

CHAPTER 756

SENATE CONCURRENT RESOLUTION NO. 4040
(Senators Vosper, Shablow)
(Representative A. Olson)

PEMBILIER DAM PROJECT

A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Pembilier Dam Project.

WHEREAS, the construction of a multipurpose dam on the Pembina River in northeastern North Dakota has been under investigation and study for more than 25 years by the Army Corps of Engineers, the International Joint Commission, the North Dakota State Water Commission, the Province of Manitoba, and others at a total expenditure approaching \$3 million by both countries; and

WHEREAS, the numerous studies have been completed but funding for the Pembilier Dam Project, with Canada participating in the construction costs as a joint venture, has not yet been authorized; and

WHEREAS, the benefits assignable to flood damage reduction in the agricultural and urban areas of the Pembina River Basin are estimated at \$3,822,000 annually; and

WHEREAS, this would alleviate about 72 percent of the Pembina River flood damage in the United States and 20 percent in Canada; and

WHEREAS, the project would provide the only solution to a serious and continuing boundary dispute between the two countries by alleviating the severity of spring flooding on the Red River of the North that is a constant problem to the United States and Canada; and

WHEREAS, the project is supported by the public, and all local, state, and provincial units of government, including all conservation interests and agencies; and

WHEREAS, the phase one study was authorized by Congress, and is scheduled for completion in 1983;

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

That the Forty-seventh Legislative Assembly requests the United States Congress to support rapid completion of the phase one study and that the United States Congress authorize construction of the Pembilier Dam so urgently needed for the protection and livelihood of people and their property located in the lower Pembina Basin in the United States and Canada; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the North Dakota Congressional Delegation, the United States Department of State, the United States Army Corps of Engineers, the Canadian Department of External Affairs, the Water Resources Branch of the Manitoba Department of Natural Resources, and the secretary-treasurer of the Lower Red River Valley Water Commission.

Filed March 17, 1981

CHAPTER 757

SENATE CONCURRENT RESOLUTION NO. 4042
(Senators Tennefos, Melland)
(Representatives Kloubec, Moore)

FINANCIAL INSTITUTIONS REGULATION STUDY

A concurrent resolution directing the Legislative Council to study state statutes and regulatory requirements relating to all financial institutions.

WHEREAS, state laws provide for the regulation of state banks, credit unions, savings and loan associations, and other financial entities; and

WHEREAS, the Depository Institutions Deregulation and Monetary Control Act of 1980 substantially affects the state-chartered financial entities; and

WHEREAS, the regulation of state-chartered banks, credit unions, savings and loan associations, and other financial entities should be reviewed to determine the relationships among these institutions at the state and the federal level and the powers exercised by each type of entity;

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

That the Legislative Council is to conduct a study of state statutes and regulatory procedures with respect to banks, credit unions, savings and loan associations, and other financial entities, with special emphasis on the powers of each, the reserve requirements of each, and the extent of regulatory overview and duplication between the state and federal regulators; and

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

Filed March 17, 1981

CHAPTER 758

SENATE CONCURRENT RESOLUTION NO. 4043
(Iszler, Albers, Sorum)

AGRICULTURAL PROCESSING PLANTS STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of state promotion of processing plants for North Dakota products within the state.

WHEREAS, agriculture in North Dakota is the basis for 70 percent of revenues in the state; and

WHEREAS, processing of North Dakota agricultural products in other states imposes high transportation cost on North Dakota producers and provides substantial revenues and jobs for out-of-state processing plants and those states' citizens; and

WHEREAS, traditional avenues of transportation to out-of-state processing plants, such as local branch railway lines, are closing or falling into disuse; and

WHEREAS, the establishment of processing plants for North Dakota products within the state would lower transportation costs and increase revenues and jobs for North Dakota;

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

That the Legislative Council is directed to study the feasibility and desirability of state promotion of processing plants for North Dakota products within the state; and

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

Filed March 27, 1981

CHAPTER 759

SENATE CONCURRENT RESOLUTION NO. 4044
(Albers, Iszler)

COOPERATIVE AGRICULTURAL MARKETING EFFORTS STUDY

A concurrent resolution directing the Legislative Council to study the feasibility of cooperative marketing efforts by the North Dakota Beef Commission, North Dakota Dairy Products Promotion Commission, North Dakota Edible Bean Commission, North Dakota Potato Council, North Dakota Sunflower Council, and North Dakota Wheat Commission.

WHEREAS, marketing of agricultural products is becoming increasingly competitive; and

WHEREAS, nations compete with other nations and states compete with other states for world markets; and

WHEREAS, North Dakota is fortunate in having several independent entities to apply expertise in marketing their own agricultural commodities; and

WHEREAS, the total marketing effort of all the agricultural commodities entities still falls short of efforts in other states;

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

That the Legislative Council is hereby directed and authorized to conduct a study of the feasibility of combining the marketing efforts of the North Dakota Beef Commission, North Dakota Dairy Products Promotion Commission, North Dakota Edible Bean Commission, North Dakota Potato Council, North Dakota Sunflower Council, and North Dakota Wheat Commission to allow joint efforts to increase sales of North Dakota agricultural products and at the same time allow each entity to maintain its autonomy; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study with the cooperation and assistance of the Commissioner of Agriculture, North Dakota Beef Commission, North Dakota Dairy Products Promotion Commission, North Dakota Edible Bean Commission, North Dakota Potato Council, North Dakota Sunflower Council, and North Dakota Wheat Commission; 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 760

SENATE CONCURRENT RESOLUTION NO. 4045
(Senator Nething)
(Representative Strinden)

GUBERNATORIAL APPOINTMENTS CONFIRMATION STUDY

A concurrent resolution directing a Legislative Council study of statutes and procedures related to Senate confirmation of gubernatorial appointments.

WHEREAS, the Constitution and statutes of this state require consent of the Senate for at least 52 appointees of the governor; and

WHEREAS, a list of gubernatorial appointees subject to senatorial consent ranges from some major policymaking administrators and bodies to other boards and committees the primary duties of which are to promote cultural activities; and

WHEREAS, some of the major policymaking appointments made by the governor are not now subject to consent by the Senate; and

WHEREAS, the statutes requiring Senate confirmation contain a variety of provisions regarding the terms of appointees and procedures for consent;

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

That the Legislative Council, through its Legislative Procedure and Arrangements Committee, is directed to study the constitutional provisions, statutes, and procedures for Senate confirmation of gubernatorial appointments, with a view toward ensuring that confirmation is required only for policymaking positions; 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 10, 1981

CHAPTER 761

SENATE CONCURRENT RESOLUTION NO. 4047
(Iszler, Erickson, Naaden)

IRRIGATION DISTRICTS STUDY

A concurrent resolution directing the Legislative Council to study and review the powers and authorities of irrigation districts, and related statutes pertaining to irrigation as contained in chapters 61-05 through 61-14 of the North Dakota Century Code.

WHEREAS, laws were enacted in 1917 which authorize and govern the organization, government, powers, fiscal affairs, assessments, boundaries, dissolution and general rules of irrigation districts; and

WHEREAS, since that time, these statutes, as contained in chapters 61-05 through 61-14, have not been updated or amended except on a limited piecemeal basis; and

WHEREAS, significant technological and other changes have been developed in the field of irrigation since laws relating to irrigation districts and related subjects were first enacted; and

WHEREAS, demand for water permits for irrigation has been significant in recent years, resulting in increasing interest in the formation of irrigation districts, utilizing chapters 61-05 through 61-14;

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

That the Legislative Council is hereby directed and authorized to conduct an interim study of the organization, powers, government, fiscal affairs, boundaries, dissolution and general rules of irrigation districts, as contained in chapters 61-05 through 61-14 of the North Dakota Century Code, to determine any amendments and improvements that may be necessary to provide for workable organization and subsequent operation of irrigation districts under current technologies and conditions; and

BE IT FURTHER RESOLVED, that the Legislative Council conduct the study with the consultation and assistance of a citizens advisory committee of irrigators and other appropriate persons, which shall be mutually appointed by the chairman of the interim committee conducting the study and the North Dakota Irrigation Association; 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 762

SENATE CONCURRENT RESOLUTION NO. 4048
(Senators Iszler, Vosper, Naaden)
(Representative Vander Vorst)

BEEKEEPING STUDY

A concurrent resolution directing the Legislative Council to conduct a study of state laws governing beekeeping.

WHEREAS, landowners, beekeepers, independent hobbyists, and the public have a vital interest in the maximum, equitable, and safe production of bee products in this state; and

WHEREAS, certain agreements between landowners and beekeepers have been inequitable, unenforceable, or both; and

WHEREAS, independent hobbyists have certain rights and duties which have not been considered in current laws governing beekeeping; and

WHEREAS, questions have arisen among landowners, beekeepers, independent hobbyists, the Department of Agriculture, and the public concerning ambiguous, confusing, and conflicting laws governing beekeeping in this state; and

WHEREAS, these agreements and laws have impaired the maximum, equitable, and safe production of bee products in this state;

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

That the Legislative Council is directed to conduct a study and review of state laws governing beekeeping for the purpose of revising, modernizing, and clarifying the laws to promote the maximum, equitable, and safe production of bee products in this state. The Legislative Council shall direct its effort toward a revision of the substance, form, and style of current beekeeping statutes, toward integration and correlation of those statutes where possible, and toward deletion of outmoded or unnecessary statutory material; and

BE IF FURTHER RESOLVED, that the Legislative Council may seek the aid and assistance of landowners, beekeepers, independent hobbyists, interested citizens, and the Department of Agriculture; 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 763

SENATE CONCURRENT RESOLUTION NO. 4050
(Senator Nething)
(Representative Swiontek)

SCHOOL ACCREDITATION AND TEACHER CERTIFICATION STUDY

A concurrent resolution directing a Legislative Council study of the standards and criteria used for school accreditation and teacher certification.

WHEREAS, the Superintendent of Public Instruction is responsible for adopting accreditation standards for public and private schools; and

WHEREAS, the accreditation standards affect the cost of education provided by schools in the state; and

WHEREAS, the Superintendent of Public Instruction is responsible for establishing criteria for teacher certification; and

WHEREAS, these certification criteria affect the cost of obtaining and maintaining qualified teachers in the schools of this state; and

WHEREAS, accreditation standards are not required to be adopted through normal administrative agencies practice procedures, while teacher certification criteria are required to be adopted following normal administrative agencies practice procedures; and

WHEREAS, the Legislative Council's Committee on Administrative Rules is responsible for reviewing state agency rules assigned to the committee by the Legislative Council chairman;

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

That the Legislative Council, through its Committee on Administrative Rules, study the standards for accreditation of public and private schools and the criteria for certification of teachers, as adopted by the Superintendent of Public Instruction, with special emphasis on the procedures followed by the Superintendent of Public Instruction in adopting the standards and criteria, the substance of the standards and criteria, and the effect the standards and criteria have on the cost of education in North Dakota; and

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

CHAPTER 764

SENATE CONCURRENT RESOLUTION NO. 4051
(Reiten, Lodoen)

SUNDAY CLOSING LAW STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the Sunday closing law.

WHEREAS, questions have arisen among business owners, employees, law enforcement officials, and the public concerning who may sell goods and services, which goods and services may be sold, and other ambiguous, confusing, and conflicting provisions of chapter 12.1-30, the Sunday closing law; and

WHEREAS, these questions have caused serious problems for those persons attempting to enforce or comply with the Sunday closing law;

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

That the Legislative Council is directed to conduct a study and review of chapter 12.1-30, the Sunday closing law, for the purpose of revising, modernizing, and clarifying the chapter. The Legislative Council shall direct its efforts toward the revision of the substance, form, and style of chapter 12.1-30, toward integration and correlation of provisions of the chapter 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 business owners, employees, 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 17, 1981

CHAPTER 765

SENATE CONCURRENT RESOLUTION NO. 4052
(Wenstrom, Nething, Redlin)

PUBLIC TRANSPORTATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study on the need for and availability of public transportation in North Dakota.

WHEREAS, transportation is an essential part of our everyday activities and should be readily available to all citizens; and

WHEREAS, public transportation is limited in North Dakota, particularly in rural areas, to an extent that restricts many citizens in their day-to-day activities; and

WHEREAS, the persons most affected by a lack of public transportation are the young, the elderly, the handicapped, and those with low incomes; and

WHEREAS, acquiring insurance on public buses is very costly;

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

That the Legislative Council is hereby directed to conduct a study of the need for public transportation in North Dakota, including what types of public transportation are feasible, what methods of funding public transportation programs might be available, including state and federal aid, and possible alternatives for reducing the cost of insurance for public buses. The Legislative Council may seek the assistance of public officials, departments, and agencies, and other interested citizens; and

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

Filed March 17, 1981

CHAPTER 766

SENATE CONCURRENT RESOLUTION NO. 4053
(Wenstrom, Nething, Redlin)

NURSING HOME REGULATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of state regulation of nursing homes, including the rates nursing homes charge.

WHEREAS, nursing home residents, relatives of nursing home residents, and the public have a vital interest in requirements imposed as a condition of admission to nursing homes, rates charged by nursing homes, and restrictions on residents' freedom of choice; and

WHEREAS, some nursing homes require the applicant or the applicant's guardian or conservator, as a condition of admission, to pay admission fees in excess of \$100, to loan money to the nursing home, or to promise to leave all or a portion of the applicant's estate to the nursing home; and

WHEREAS, some nursing homes charge nonmedical assistance residents rates in excess of 10 percent of the rates approved by the Social Service Board for medical assistance residents; and

WHEREAS, some nursing homes require residents to use the services of a physician or pharmacist selected by the home instead of by the resident;

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

That the Legislative Council is directed to conduct a study of state laws and regulations governing the conditions and restrictions that nursing homes may impose on applicants or residents, the rates charged by nursing homes, and related issues. The Legislative Council shall direct its efforts toward revision, modernization, and clarification of laws regulating nursing homes; and

BE IT FURTHER RESOLVED, that the Legislative Council may seek the aid and assistance of the Social Service Board, nursing home administrators and employees, nursing home residents and their relatives, 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 23, 1981

CHAPTER 767

SENATE CONCURRENT RESOLUTION NO. 4054
(Senator Vosper)
(Representative Black)
(Approved by the Committee on Delayed Bills)

LEGISLATIVE PHOTOGRAPHER

A concurrent resolution to appoint an official photographer for the Forty-seventh Legislative Assembly, to set forth the photography order, and to authorize payment.

WHEREAS, for historical purposes it has been the custom of all North Dakota Legislative Assemblies to have composite group pictures made for all members of such assemblies; and

WHEREAS, Renner Studios offers to take six color proof photographs of each Senator, each Representative, the Lieutenant Governor, the Secretary of the Senate, the Assistant Secretary of the Senate, the Senate Desk Reporter, the Senate Sergeant-at-Arms, the Senate Bill Clerk, the Chief Clerk of the House, the Assistant Chief Clerk of the House, the House Desk Reporter, the House Sergeant-at-Arms, and the House Bill Clerk, and to retouch the final prints to compile a composite color picture of all Senate members and named employees, and all House members and named employees, framed and ready to hang, and individual composite photographs to be furnished to each member; all of the foregoing at a total cost of \$2,817;

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

That Renner Studios of Mandan, North Dakota, be and is hereby appointed official photographer for the Forty-seventh Legislative Assembly of the State of North Dakota; and

BE IT FURTHER RESOLVED, that Renner Studios of Mandan, North Dakota, is hereby awarded the sole privilege of photographing members of the Senate and the House of Representatives, the Lieutenant Governor, and the above-mentioned legislative employees of the Forty-seventh Legislative Assembly, at the total cost of \$2,817 to be charged as a legislative expense; and

BE IT FURTHER RESOLVED, that the photographs shall be delivered pursuant to a contract entered into between Renner Studios, and the photography committees of the Senate and House of Representatives.

Filed March 10, 1981

CHAPTER 768

SENATE CONCURRENT RESOLUTION NO. 4055
(Reiten)

SMALL BUSINESS VIABILITY ISSUES STUDY

A concurrent resolution directing the Legislative Council to conduct a study of issues facing the continued viability of small business in North Dakota.

WHEREAS, small business is the foundation on which our economic strength and growth has been built; and

WHEREAS, small business has created more than two-thirds of all the new jobs; and

WHEREAS, small business has produced more than half of all major inventions; and

WHEREAS, small business has contributed almost half of our economic growth; and

WHEREAS, small business leaders from across our state recently participated in the Governor's Conference on Small Business to establish priority measures vital to business; and

WHEREAS, small business is troubled by problems that threaten to undermine its foundation; and

WHEREAS, it is essential that every effort be made to strengthen and revitalize America's small business community;

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

That the Legislative Council is hereby directed to study issues facing the continued viability of small business in North Dakota, with emphasis on such vital measures as tax reform, regulatory reform, financing, innovation, budget reform and others; and

BE IT FURTHER RESOLVED, that the Legislative Council may seek the aid and assistance of owners of small businesses, state and local agency 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 19, 1981

CHAPTER 769

SENATE CONCURRENT RESOLUTION NO. 4056
(Lips)

INCURABLY DISEASED PERSONS NEEDS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the educational, employment, and life and health insurance needs of persons over 21 years of age with incurable diseases.

WHEREAS, due to advances in medical science, many persons who would have formerly died during childhood from the pernicious effects of incurable diseases, now live beyond 21 years of age; and

WHEREAS, despite their illnesses, many of these persons are capable of being productive members of society; and

WHEREAS, the productivity of these persons is frequently limited or denied because of a dearth of legislation which would enable them to participate fully in society; and

WHEREAS, with proper legislative support, these persons can lead full, happy, and productive lives and thereby avoid becoming burdensome to the remaining members of society;

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

That the Legislative Council is directed to conduct a study of the educational, employment, and life and health insurance needs and opportunities of persons over 21 years of age with incurable diseases; 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 19, 1981

CHAPTER 770

SENATE CONCURRENT RESOLUTION NO. 4057
(Goodman)

TAXATION STATUTES ORGANIZATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the organization of statutes relating to taxation.

WHEREAS, there has been no comprehensive study in the recent past on the organization of Title 57 of the North Dakota Century Code, relating to taxation; and

WHEREAS, such a study would likely result in suggestions for consolidation and reorganization which could be made without substantively changing the law; and

WHEREAS, understanding of the tax laws of North Dakota, and their administration, would probably be greatly assisted by such revisions;

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

That the Legislative Council is hereby directed to study Title 57 of the North Dakota Century Code, relating to taxation for the purpose of identifying and removing unused and archaic sections and laws, reconciling conflicts and ambiguities, eliminating surplus language and obsolete references, and reorganizing and arranging the subject matter in the laws in a proper and logical sequence; and

BE IT FURTHER RESOLVED, that all departments, agencies, and institutions provide the necessary aid, information, and assistance as requested by 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 771

SENATE CONCURRENT RESOLUTION NO. 4058
(Committee on Natural Resources)

RESOURCE REGULATORY FUNCTIONS STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the natural resource regulatory functions of various state agencies.

WHEREAS, North Dakota is a state rich in natural resources; and

WHEREAS, the development of North Dakota's natural resources is becoming increasingly important to the economy of both the state and the nation; and

WHEREAS, the development of North Dakota's natural resources is presently regulated by several state agencies; and

WHEREAS, this diffusion of regulatory responsibilities inhibits coordinated planning and the efficient use of the state's natural resources for the benefit of all North Dakotans; and

WHEREAS, the consolidation of natural resource regulatory functions into one state agency may better ensure effective, efficient, and equitable management of the state's natural resources;

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

That the Legislative Council is hereby directed to study the feasibility and the desirability of consolidating the natural resource regulatory functions of state government; 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 13, 1981

CHAPTER 772

SENATE CONCURRENT RESOLUTION NO. 4059
(Hanson)

HIGHER EDUCATION RESEARCH ACTIVITIES STUDY

A concurrent resolution directing the Legislative Council, with assistance from the State Board of Higher Education, to study the financing of research activities at institutions of higher education under the jurisdiction of the State Board of Higher Education.

WHEREAS, the major objectives of institutions of higher education are teaching, service, and research; and

WHEREAS, the objective of research has received little or no state funding over the years; and

WHEREAS, the institutions of higher education under the jurisdiction of the State Board of Higher Education have a long history of research activities on problems of concern to both the citizens of North Dakota and the nation on such diverse subjects as agriculture, cancer, coal, oil and gas, and land restoration; and

WHEREAS, the research activities of the institutions of higher education in North Dakota have been funded by sources other than state appropriations; and

WHEREAS, such research activities help to foster a healthy economy in the state which, in turn, helps to create jobs for citizens of the state; and

WHEREAS, such research activities are becoming increasingly expensive and nonstate sources of funding are diminishing at a time when there is an increased need for such research activities;

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

That the Legislative Council, with the cooperation and assistance of the State Board of Higher Education, is directed to study the financing of research activities at institutions of higher education under the jurisdiction of the State Board of Higher 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 773

SENATE CONCURRENT RESOLUTION NO. 4060
(Solberg)

FISCAL NOTE PROCESS STUDY

A concurrent resolution directing the Legislative Council to study the fiscal note process.

WHEREAS, the North Dakota Legislative Assembly has had a rule since the 1965 Session requiring fiscal notes on measures which have a potential impact on the state of \$5,000 or more; and

WHEREAS, legislation under consideration during the current session will require similar fiscal notes on legislation having an impact on counties and cities beginning in 1983; and

WHEREAS, because fiscal notes are requested of agencies in all three branches of state government, some of the directives contained in the joint rules may more appropriately belong in statutes; and

WHEREAS, because of the importance of fiscal notes, it is essential that everyone involved have a better understanding of the process in order to facilitate the legislative process; and

WHEREAS, there is a need to review the entire fiscal note process in order to improve procedures for future legislative sessions;

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

That the Legislative Council is directed to study the fiscal note process, including the propriety of using rules or statutes to effectuate the process and the need for changes in rules, statutes, or administrative procedures used to carry out the process; and

BE IT FURTHER RESOLVED, that the Legislative Council may call on other agencies and departments for such aid and assistance as it deems necessary; and

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

Filed March 12, 1981

CHAPTER 774

SENATE CONCURRENT RESOLUTION NO. 4061
(Nelson)

COUNTIES AND TOWNSHIPS STATUTES STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making both substantive and nonsubstantive revision of North Dakota Century Code Title 11, relating to counties, and Title 58, relating to townships, and related statutes.

WHEREAS, many current statutory provisions relating to townships and counties are both confusing and ineffective; and

WHEREAS, a general revision of such current statutory provisions would clearly be of benefit to both counties and townships as well as the state; and

WHEREAS, such revision should focus primarily on nonsubstantive issues;

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

That the Legislative Council is hereby directed to conduct a study of the revision of North Dakota Century Code Title 11, relating to counties, and Title 58, relating to townships, and related statutes; 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 17, 1981

CHAPTER 775

SENATE CONCURRENT RESOLUTION NO. 4062
(Senators Moore, Nelson, Tierney)
(Representatives Metz, Knudson, Swiontek)

STATE-MANDATED EDUCATION COSTS STUDY

A concurrent resolution directing the Legislative Council to study the financing of elementary and secondary education, with emphasis upon state-mandated costs of education.

WHEREAS, North Dakota has had a state foundation aid program since 1959 which has provided financial payments to school districts based upon the educational cost per pupil; and

WHEREAS, state law mandates that certain courses and activities be offered in schools and requires schools to maintain certain minimum standards to be eligible for state foundation aid; and

WHEREAS, initiated measure No. 6, approved by the voters in the 1980 general election, contains a statement of intent that state foundation aid to school districts equal at least 70 percent of the funds required to meet the educational cost per pupil; and

WHEREAS, the appropriate definition of educational cost per pupil is subject to differences of opinion;

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

That the Legislative Council, with the assistance of the Superintendent of Public Instruction, is directed to study the financing of elementary and secondary education, with emphasis upon the identification of state-mandated costs of education and finding methods of providing state financial aid to support those costs; and

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

Filed March 19, 1981

CHAPTER 776

SENATE CONCURRENT RESOLUTION NO. 4063
(Thane)

LEGISLATIVE DATA PROCESSING USE STUDY

A concurrent resolution directing the Legislative Council to study future legislative use of data processing services and resources and to develop a plan for use of data processing resources and services for the future.

WHEREAS, legislative use of data processing services and resources during each legislative session, and during the interim between sessions, is growing; and

WHEREAS, the potential for legislative utilization of electronic data processing is almost unlimited, and has not yet begun to be fully realized; and

WHEREAS, the legislatures of other states are also heavily involved in the use of electronic data processing, and have some capabilities which are not utilized in North Dakota; and

WHEREAS, the Legislative Assembly should make sound policy decisions concerning the extent to which it desires to have necessary services performed through use of electronic data processing; and

WHEREAS, it is desirable that as many legislators as possible be familiar with the extent of, and potential for, use of electronic data processing by the Legislative Assembly and the Legislative Council;

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

That the Legislative Council is hereby directed to carry out a comprehensive study of the use of data processing services, equipment, and facilities by the Legislative Assembly and the Legislative Council, that the Legislative Council develop, during the course of this study, a comprehensive plan concerning such development, and that the Legislative Council prepare its 1983-85 budget request taking that plan into account; and

BE IT FURTHER RESOLVED, that the Department of Accounts and Purchases and other state agencies shall give all reasonable assistance as may be requested by the Legislative Council in carrying out this study; and

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

CHAPTER 777

SENATE CONCURRENT RESOLUTION NO. 4065
(Stenehjem)

ADULT EDUCATION PROGRAM NEEDS STUDY

A concurrent resolution directing the Legislative Council, with assistance from the Superintendent of Public Instruction, the State Board for Vocational Education, and other appropriate state agencies, to study the needs and financing of locally based adult and community education programs.

WHEREAS, participation in existing adult and community education programs has grown rapidly in North Dakota communities; and

WHEREAS, an increasing number of communities within the state have been seeking assistance in establishing adult and community education programs; and

WHEREAS, all adults in North Dakota desiring to continue education, whether for personal or career reasons, should be afforded that opportunity without being unduly penalized by high student fees and transportation costs as a result of where they reside within the state; and

WHEREAS, over 27 other states have enacted legislation supporting community education as an economical vehicle to help local communities provide educational services to their citizens;

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

That the Legislative Council, with the cooperation and assistance of the Superintendent of Public Instruction, the State Board for Vocational Education, and other appropriate agencies, is directed to conduct an interim study of the needs and financing of locally based adult and community education programs; 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 19, 1981

CHAPTER 778

SENATE CONCURRENT RESOLUTION NO. 4066
(Committee on Appropriations)

HIGHER EDUCATION PURCHASES FORMULA STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the method of appropriating funds for equipment purchases at the institutions of higher education.

WHEREAS, the appropriations for equipment purchases recommended in the executive budget for the institutions of higher education for the 1981-83 biennium total \$5,669,211; and

WHEREAS, an accurate determination of equipment needs at all institutions of higher education should be made; and

WHEREAS, the present formula method of appropriating funds for equipment purchases should be reviewed to determine if such a formula provides an effective, efficient, and cost-beneficial method of financing equipment purchases at the institutions of higher education; and

WHEREAS, alternative methods of appropriating funds for equipment purchases at the institutions of higher education on a systematic basis should be reviewed based on the size of, and type of instruction offered at, each institution;

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

That the Legislative Council is hereby directed and authorized to conduct a study of the formula used as a basis to appropriate funds for equipment purchases at the institutions of higher education, including a review of the adequacy of the present formula in meeting equipment needs along with a review of alternative methods of financing equipment purchases; and

BE IT FURTHER RESOLVED, that the institutions of higher education and the board of higher education office provide such information and assistance as may be requested by the Council in this study; and

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

Filed March 19, 1981

CHAPTER 779

SENATE CONCURRENT RESOLUTION NO. 4067
(Senator Stenehjem)
(Representative Kuchera)

OPEN RECORDS AND MEETINGS LAWS STUDY

A concurrent resolution directing the Legislative Council to study exceptions to open records and open meetings laws for certain governmental purposes.

WHEREAS, open records and open meetings have long been established as a matter of public policy in North Dakota; and

WHEREAS, statutes enacted in 1957 provide that all governmental meetings and records must be open and accessible to the public except as otherwise specifically provided by law; and

WHEREAS, the voters of this state have approved constitutional amendments mandating open governmental meetings and open public records, subject to statutory exceptions; and

WHEREAS, there remains confusion concerning certain types of records and certain types of meetings of governmental groups, particularly those relating to law enforcement, personnel records, governmental attorneys, and judicial proceedings; and

WHEREAS, there is a need to recognize conflicting rights in certain areas of governmental activity, particularly those dealing with personal information regarding individuals;

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

That the Legislative Council is directed to study the subject of open meetings and open records, limited to the need for statutory exceptions for law enforcement records, governmental personnel records, attorney-client relationships between governmental attorneys and officials and employees, and judicial proceedings; and

BE IT FURTHER RESOLVED, that the Legislative Council seek the assistance of representatives of the North Dakota media, law enforcement agencies and state and local governments to serve on its study committee and to otherwise assist with the study; and

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

Filed March 31, 1981

CHAPTER 780

SENATE CONCURRENT RESOLUTION NO. 4068
(Nething, Lodoen, Peterson, Reiten)

PUBLIC EMPLOYEE AND NATIONAL GUARD STUDY

A concurrent resolution directing a Legislative Council study of the statutory protections afforded public employees who are members of the National Guard.

WHEREAS, a strong National Guard benefits the state and its political subdivisions by providing vital services in times of emergency and need; and

WHEREAS, National Guard units provide substantial revenue and benefits to political subdivisions in which the units are located or in which training is conducted; and

WHEREAS, public employees who are members of the National Guard are statutorily protected from loss of pay or status while on National Guard duty; and

WHEREAS, political subdivisions have questioned the cost and desirability of providing compensated leave to public employees while engaged in activities of the National Guard;

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

That the Legislative Council study the effects state protection of pay and status of public employees has on the membership of the National Guard, with emphasis on the cost of providing compensated leave for public employees and the feasibility and desirability of governmental entities employing persons who are members of the National Guard; and

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

Filed March 19, 1981

CHAPTER 781

SENATE CONCURRENT RESOLUTION NO. 4069
(Lips)

INSURANCE LAWS REVISION STUDY

A concurrent resolution directing a Legislative Council study and revision of the insurance laws contained in Title 26 of the North Dakota Century Code.

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

WHEREAS, most insurance laws are contained in North Dakota Century Code Title 26, a relatively "active" title with respect to legislative enactments each legislative session; and

WHEREAS, the substantive provisions of many of the chapters in Title 26 duplicate one another; and

WHEREAS, many of the chapters in Title 26 could be arranged and consolidated to reflect a logical arrangement;

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

That the Legislative Council carry out a comprehensive revision and renumbering of the insurance laws of the state, specifically North Dakota Century Code Title 26, emphasizing appropriate technical and grammatical changes, and avoiding, to the extent possible, substantive recommendations or changes; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, along with necessary legislation revising Title 26, and any related measures, to the Forty-eighth Legislative Assembly.

Filed March 19, 1981

CHAPTER 782

SENATE CONCURRENT RESOLUTION NO. 4070
(Redlin)

STATE AIRCRAFT USE STUDY

A concurrent resolution directing the Legislative Council to study the use of aircraft by North Dakota state government to find the most efficient method of using aircraft to conduct the state's business.

WHEREAS, the North Dakota Legislative Assembly is dedicated to using tax money as efficiently as possible; and

WHEREAS, there has been considerable discussion regarding the purchase of another aircraft by the Highway Department at a cost of nearly \$1 million in addition to the trade-in; and

WHEREAS, there is concern that the total number of state-owned aircraft may not be in line with the specific needs of the various departments of the state of North Dakota; and

WHEREAS, the use of aircraft needs to be maximized to justify the large investment; and

WHEREAS, efficient aircraft charter service with dependable aircraft and qualified pilots is readily available at several airport locations in our state; and

WHEREAS, aircraft pools are used by some fleet owners to make maximum use of all aircraft owned;

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

That the Legislative Council is directed to study the use of aircraft by North Dakota state government, including a review of the number and usage of existing state-owned aircraft. The Legislative Council shall perform a cost benefit analysis, make comparisons with alternative methods of service, and explore the relative cost of using a combination of charter and commercial aircraft service with a view toward finding the most efficient method of procuring and using aircraft services to conduct the state's business; and

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

Filed March 12, 1981

CHAPTER 783

SENATE CONCURRENT RESOLUTION NO. 4071
(Committee on Appropriations)

SPECIAL FUNDS AND CASH ACCOUNTS STUDY

A concurrent resolution directing the Legislative Council to study the use of special funds and cash accounts maintained in the state treasury.

WHEREAS, there are many special funds and cash accounts maintained in the state treasury, some of which may be available for such uses as the Legislative Assembly may designate; and

WHEREAS, in a period of declining state revenues it may be necessary to use the proceeds of these accounts to supplement general fund revenues;

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

That the Legislative Council is directed to conduct a study of the cash accounts and special funds maintained in the state treasury to determine if such funds are necessary, whether they are making a maximum contribution to the state, whether a portion or all of such fund balances are being invested for the purpose of earning interest, whether the earnings on such funds are being utilized for specific or general purposes, and whether a portion or all of such funds can be deposited in the general fund of the state treasury; 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 784

SENATE CONCURRENT RESOLUTION NO. 4072
(Committee on Appropriations)

STATE BUDGET PRACTICES STUDY

A concurrent resolution asking the Legislative Council to study state practices for the purpose of developing recommendations to improve the budget process.

WHEREAS, the state has developed a program budgeting system; and

WHEREAS, a report on the level of program activity, including the number of persons served, would improve legislative evaluation; and

WHEREAS, the future impact of new programs, their long-term growth and their additional resource needs are not included in the present budget process; and

WHEREAS, the current budget process does not provide nongovernmental, or other governmental units, an opportunity to compete for the authority to provide governmental services; and

WHEREAS, recipients of governmental services may desire a choice in determining whether they want services from governmental or private agencies; and

WHEREAS, the present system for providing governmental services may in some instances foster frustration and cynicism among recipients of governmental services;

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

That the Legislative Council conduct a study to improve the budgetary consideration process by developing better information upon which to make decisions, and by determining whether there are alternatives for delivering services which offer greater competition and promote greater recipient participation; and

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

Filed March 19, 1981

CHAPTER 785

SENATE CONCURRENT RESOLUTION NO. 4073
(Committee on Appropriations)

STATE ACCOUNTING SYSTEM REVIEW

A concurrent resolution directing the Legislative Council to review changes to the state accounting system and to indirect cost reimbursement procedures.

WHEREAS, the Forty-seventh Legislative Assembly has directed the Department of Accounts and Purchases to improve the state's accounting system; and

WHEREAS, an improved accounting system will provide a better basis for legislative review of the state's fiscal condition and of the activities of the state's agencies and institutions; and

WHEREAS, through modifications to the state accounting system additional federal funds will come to the state in the form of indirect cost reimbursements;

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

That the Legislative Council is hereby directed and authorized to review the implementation by the Department of Accounts and Purchases of an improved accounting and financial reporting system for the state of North Dakota; and

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

Filed March 19, 1981

CHAPTER 786

SENATE CONCURRENT RESOLUTION NO. 4074
(Holmberg, Wright)

POLITICAL SUBDIVISION STATUTES REVISION STUDY

A concurrent resolution directing a Legislative Council study of the feasibility and desirability of revising all statutes which relate to more than one political subdivision.

WHEREAS, throughout the statutes of North Dakota there are various provisions relating to more than one political subdivision; and

WHEREAS, these provisions are generally either found in the context of one political subdivision or another or are depictatory; and

WHEREAS, statutory provisions which relate to more than one political subdivision may be too broad to be optimally effective; and

WHEREAS, North Dakota's statutes should be as simply and clearly worded as possible; and

WHEREAS, revision of various provisions relating to political subdivisions or incorporation of these provisions into a single title or chapter could help in clarifying those provisions;

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

That the Legislative Council is hereby authorized and directed to conduct a study of the feasibility and desirability of revising all statutes which relate to more than one political subdivision; 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 17, 1981

CHAPTER 787

SENATE CONCURRENT RESOLUTION NO. 4076
(Senators Tennefos, Reiten)
(Representatives Kloubec, Rued)

GOVERNMENTAL PAPERWORK REDUCTION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the extent of and means for reducing governmental paperwork in North Dakota.

WHEREAS, the Congress has recently enacted the Paperwork Reduction Act of 1980, which is intended to reduce paperwork and enhance the economy and efficiency of the federal government and the private sector; and

WHEREAS, there exists a similar need to minimize the governmental paperwork burden for state and local government entities, individuals, businesses, and others in North Dakota; and

WHEREAS, the costs of collecting, maintaining, using, and disseminating information are constantly escalating due to the increasingly voluminous and complex nature of state statutes and regulations; and

WHEREAS, there is a need to coordinate, integrate, and to the extent practicable and appropriate, make uniform the information policies and practices in North Dakota;

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

That the Legislative Council is directed to conduct a study of the extent and means for reducing governmental paperwork in North Dakota for state and local government entities, individuals, businesses, and others. The study shall include, but need not be limited to, consideration of the extent, use, need, and cost of governmental paperwork in North Dakota and uniform information policies and practices, legislation, a commission approach, and all other means of reducing governmental paperwork in North Dakota to the greatest extent practicable; and

BE IT FURTHER RESOLVED, that the Legislative Council may seek the aid and assistance of state and local government entities, individuals, businesses, and others; 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 788

SENATE CONCURRENT RESOLUTION NO. 4077
(Committee on Appropriations)

STATE EMPLOYEES COMPENSATION
AND PERKS STUDY

A concurrent resolution directing the Legislative Council to study the methodology and entire system of compensating state employees and of providing fringe benefits for state employees.

WHEREAS, the state's compensation system should attract and encourage retention of qualified and competent employees; and

WHEREAS, there is concern that the present system of appropriating funds for incremental salary increases for state employees does not consider work effort, productivity measures, recognition of high levels of achievement, and market place considerations; and

WHEREAS, the state's system of compensating its employees should emphasize career development, high levels of performance, and recognition of individual achievement; and

WHEREAS, the state's compensation system should encompass the concept of "equal pay for equal work"; and

WHEREAS, a review should be made of the classification system administered by the Central Personnel Division to determine if the classification system is a mechanism for effective and efficient salary administration; and

WHEREAS, it may be desirable to allow state employees to have a choice of participation in various fringe benefits offered by the state;

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

That the Legislative Council is authorized and directed to conduct, through a committee on budget, a study of the entire system and method of compensating state employees. This study shall include a review of the adequacy of the classification and compensation plan administered by the Central Personnel Division

including a review of the applicability of the division's salary surveys to state government. The study shall also review alternative methods of compensating state employees based on productivity, levels of performance, recognition of achievement, career development and opportunities, and market place considerations. Finally, the study shall review the desirability of allowing state employees to have a choice of participation in various fringe benefits offered by the state; and

BE IT FURTHER RESOLVED, that all state agencies and institutions shall provide the Legislative Council such assistance as it may request while conducting this study; and

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

Filed March 12, 1981

CHAPTER 789

SENATE CONCURRENT RESOLUTION NO. 4078
(Melland)

INTEREST RATE MAXIMUMS STUDY

A concurrent resolution directing a Legislative Council study of the statutory interest rate maximums applicable to commercial transactions.

WHEREAS, the state of North Dakota historically has imposed statutory maximum rates of interest on loans; and

WHEREAS, statutory interest rate maximums apply to commercial transactions involving financial institutions, consumer finance, installment sales, charge accounts, small loans, manufacturer's service charges, and wholesaler's service charges; and

WHEREAS, confusion abounds in determining what interest rate maximums apply to specific commercial transactions; and

WHEREAS, federal laws and regulations have affected and may affect state usury limitations;

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

That the Legislative Council study all state statutes establishing maximum interest rates chargeable on commercial transactions, with emphasis on the various levels of maximum interest rates allowed, the relationship to federal requirements, and the feasibility and desirability of enacting a comprehensive usury statute in place of the diverse statutes now in existence; and

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

Filed March 19, 1981

CHAPTER 790

SENATE CONCURRENT RESOLUTION NO. 4079
(Melland)

STATE FACILITY CONSTRUCTION FINANCE STUDY

A concurrent resolution directing the Legislative Council to study state agency and institution planning methods for maintenance of facilities and facility construction.

WHEREAS, Senate Bill No. 2386, if passed, will create a general revenue bond authority to finance the construction, remodeling, and the renovation of revenue-producing state buildings; and

WHEREAS, Senate Bill No. 2435, if passed, will establish a North Dakota building authority; and

WHEREAS, the state of North Dakota needs a long-range plan for financing and constructing facilities; and

WHEREAS, the role of the State Construction Superintendent in regard to planning for capital construction projects should be defined; and

WHEREAS, the development of a maintenance plan for the state's facilities is necessary to avoid unnecessary long-term costs;

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

That the Legislative Council is directed to conduct a study of the state's methods of planning for future capital construction, including the financing thereof, and for maintenance of existing or future facilities; and

BE IT FURTHER RESOLVED, that the Legislative Council review the functions of offices involved in the state's capital construction programs, and the effectiveness of the preliminary planning revolving fund; and

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

Filed March 12, 1981

CHAPTER 791

SENATE CONCURRENT RESOLUTION NO. 4080
(Melland)

STATE GOVERNMENT STATUTES REVISION STUDY

A concurrent resolution directing a Legislative Council study and revision of the sections of law contained in Title 54 of the North Dakota Century Code.

WHEREAS, Title 54 of the North Dakota Century Code is one of the most "active" titles with respect to legislative enactments each legislative session; and

WHEREAS, many of the chapters in Title 54, in light of subsequent amendments, could be more logically placed in another portion of that title, or elsewhere in the Century Code; and

WHEREAS, many of the chapters in Title 54 could be arranged to reflect more clearly the actual organizational structure of state government; and

WHEREAS, many of the sections of law in Title 54 contain antiquated language or set out procedures which need modernization; and

WHEREAS, several chapters of the title have not been utilized in recent years, and may no longer reflect current, or best, governmental practices;

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

That the Legislative Council is hereby directed to carry out a comprehensive revision and renumbering of Title 54 of the North Dakota Century Code, that the revision is to include appropriate technical and grammatical changes, and should avoid, to the extent possible, substantive recommendations; and

BE IT FURTHER RESOLVED, that the Legislative Council shall report its findings and recommendations, along with a bill or bills revising Title 54 of the Century Code and any necessary related measures, to the Forty-eighth Legislative Assembly.

Filed March 12, 1981

CHAPTER 792

SENATE CONCURRENT RESOLUTION NO. 4081
(Melland)

STATE GOVERNMENT GROWTH PLANS STUDY

A concurrent resolution directing the Legislative Council to review the growth anticipated in state government during the next ten years.

WHEREAS, initiative and referendum at the prerogative of the voters has caused revenue fluctuations of great magnitude; and

WHEREAS, the rate of state expenditures is increasing rapidly resulting in a proposed \$2 billion budget for state government for the 1981-83 biennium; and

WHEREAS, because of inflation, funding required to meet the educational, health, and other human service needs of the state's citizens has dramatically increased; and

WHEREAS, a review of only the initial cost of implementing programs during a biennium does not provide a proper basis for thorough evaluation of the future cost and benefits of proposed new programs; and

WHEREAS, a review of state agency and institution long-range plans will make it possible for the legislature to make better decisions regarding budget requests;

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

That the Legislative Council, through a committee on budget, is hereby directed and authorized to review state agency and institution fiscal program plans for the next ten years; and

BE IT FURTHER RESOLVED, that all state agencies and institutions shall provide such assistance as may be requested by the Legislative Council to conduct this study; 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 19, 1981

CHAPTER 793

SENATE CONCURRENT RESOLUTION NO. 4082
(Wright)

WATERBANK PROGRAMS AND EASEMENTS STUDY

A concurrent resolution directing the Legislative Council to study waterbank programs and the acquisition by governmental entities of easements in North Dakota.

WHEREAS, North Dakota's economy and the well-being of its people is largely dependent upon this state's agricultural productivity; and

WHEREAS, North Dakota is a semiarid state in which the people recognize the value of dependable water supplies for agricultural, industrial, commercial, and residential purposes; and

WHEREAS, North Dakota is blessed with a large number of wetlands which provide both wildlife habitat and a mechanism for recharging underground water supplies; and

WHEREAS, the interests of agricultural production and wetlands preservation must be an appropriate consideration; and

WHEREAS, past wetlands easement acquisition programs have resulted in much dissension and controversy; and

WHEREAS, the interests of agricultural production and wetlands preservation can be harmonized if proper consideration is given to each interest;

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

That the Legislative Council is directed to conduct a study of waterbank programs and the past, present, and future acquisition by governmental entities of easements in North Dakota; and

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

Filed March 23, 1981

CHAPTER 794

SENATE CONCURRENT RESOLUTION NO. 4083
(Moore, Nething)

PROPERTY PRODUCTIVITY VALUE METHOD STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the productivity method of valuing property.

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

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

WHEREAS, in inflationary times, the potential market value of real property does not necessarily bear a direct relationship to the ability to pay; and

WHEREAS, the Forty-seventh Legislative Assembly has considered the productivity method of valuing agricultural property as developed by individuals at North Dakota State University and as implemented through Senate Bill No. 2323; and

WHEREAS, this system of valuing land needs to be studied further both as it applies to agricultural property and in its possible application to other types of property;

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

That the Legislative Council is hereby directed to study the system of assessing agricultural land using productivity as developed by individuals at North Dakota State University, with emphasis on its possible adaptation to assessments of other types of real property; 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 795

SENATE CONCURRENT RESOLUTION NO. 4084
(Committee on Education)
(Approved by the Committee on Delayed Bills)

AMERICAN INDIAN HISTORY
MATERIALS DISTRIBUTION

A concurrent resolution directing the Superintendent of Public Instruction to distribute approved materials on American Indian history.

WHEREAS, North Dakota's earliest inhabitants were American Indians, and much of this state's history relates to the actions and culture of North Dakota's American Indians; and

WHEREAS, the need for instruction in American Indian history is demonstrated by the extent of misunderstanding that presently exists in our society concerning our state's largest minority group; and

WHEREAS, the Legislative Assembly recognizes the significant contributions and accomplishments of the American Indian and feels that all students in North Dakota schools should also be aware of these contributions and accomplishments; and

WHEREAS, better understanding between all people can come only with better information and education, and our schools are the best place for the dissemination of such information; and

WHEREAS, educational materials concerning American Indian education are available as the result of a three-year research effort costing \$500,000;

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

That the Forty-seventh Legislative Assembly requests the Superintendent of Public Instruction to distribute materials approved by the Department of Public Instruction to all public schools in North Dakota for the purpose of instruction in American Indian history; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction continue to encourage the inclusion of American Indian history and culture instruction in all relevant history courses in our public schools; and

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

CHAPTER 796

SENATE CONCURRENT RESOLUTION NO. 4085

(Nothing)

(Approved by the Committee on Delayed Bills)

CARDIOPULMONARY RESUSCITATION TRAINING

A concurrent resolution expressing the Legislative Assembly's support for cardiopulmonary resuscitation training; urging statewide support for cardiopulmonary resuscitation training throughout North Dakota; requesting the State Department of Health and the Superintendent of Public Instruction to support such training; and urging certain communications with the American Heart Association Dakota Affiliate and the American Red Cross.

WHEREAS, cardiopulmonary resuscitation, CPR, is a basic lifesaving technique pioneered by the American Heart Association; and

WHEREAS, 60 to 70 percent of sudden deaths caused by cardiac arrest occur before hospitalization, thus emphasizing the need for the entire community to be recognized "as the ultimate coronary care unit" (Journal of the American Medical Association - Vol. 244, No. 5, page 457 - August 1, 1980); and

WHEREAS, heart attacks represent the most numerous medical emergency today and 650,000 persons die from heart attacks each year, most within two hours of the attack's onset; and

WHEREAS, many lives could be saved if prompt and appropriate action were taken; and

WHEREAS, the American Heart Association and the American Red Cross have played a major role in development of the CPR technique and in training people to utilize the technique, commencing with establishment of the Committee on Cardiopulmonary Resuscitation in 1963; and

WHEREAS, CPR as a lifesaving tool is particularly important in a rural state where there are often significant distances to travel to reach the nearest emergency medical care facility; and

WHEREAS, CPR techniques can be utilized to provide initial treatment for victims who have stopped breathing from any one of a number of causes;

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

That the Forty-seventh Legislative Assembly expresses its support of extensive training and retraining in the use of cardiopulmonary resuscitation techniques; urges various civic groups to seek CPR training for their members; urges the Superintendent of Public Instruction to carry out a survey concerning current CPR training levels of educational personnel, and to take other action to promote CPR training; urges the State Department of Health to take appropriate action promoting CPR training; and urges state government employees to seek CPR training; and

BE IT FURTHER RESOLVED, that the Superintendent of Public Instruction and the State Department of Health consult, where appropriate, with the American Heart Association Dakota Affiliate and the American Red Cross during the next biennium as they respond to this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Superintendent of Public Instruction, the State Health Officer, the executive director of the American Heart Association Dakota Affiliate, and the American Red Cross.

Filed March 27, 1981

CHAPTER 797

SENATE CONCURRENT RESOLUTION NO. 4086
(Senators Nething, Redlin, Reiten)
(Representatives Backes, Strinden)
(Approved by the Committee on Delayed Bills)

EDITORS DAY AND ENCOMIUM ON THE PRESS

A concurrent resolution offering an effervescent encomium on the press; declaring Thursday, March 5, 1981, as North Dakota Editors Day at the Forty-seventh Legislative Assembly; and welcoming Mr. Reid Miller, a distinguished journalist and Assistant Chief of the Washington, D.C., Bureau of the Associated Press, to North Dakota.

WHEREAS, March is not only the month of the biennial Editors Day at the Legislative Assembly, but also, on March 16, the birthday of James Madison, our fourth president and one of the drafters of the Bill of Rights, who stated, "To the press alone, checked as it is with abuses, the world is indebted for all the triumphs which have been obtained by reason and humanity over error and oppression"; and

WHEREAS, such paeans of praise are appropriate for members of North Dakota's distinguished Fourth Estate, the editors and reporters of the state's 101 daily, semiweekly and weekly newspapers, who are dedicated to informing North Dakotans and thus serve a vital function in the democratic processes; and

WHEREAS, the North Dakota Legislative Assembly receives thorough and complete coverage by the news media which enables it to better fulfill its governmental duties for the citizens of North Dakota, and for which it is much appreciative; and

WHEREAS, the North Dakota Newspaper Association and the North Dakota chapter of the Society of Professional Journalists, Sigma Delta Chi, are cosponsoring the biennial Editors Day at the Legislature March 5, 1981; and

WHEREAS, the Editors Day banquet, to which all members of the Forty-seventh Legislative Assembly will be invited by the press from their respective districts, will feature as a speaker Mr. Reid Miller, a veteran Washington journalist and the Assistant Chief of Washington, D.C., Bureau of the Associated Press;

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

That the Forty-seventh Legislative Assembly commends and congratulates North Dakota's unflaggingly vigilant press through this encomium for its continuing service to all North Dakotans, and declares Thursday, March 5, 1981, as Editors Day at the Forty-seventh Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Forty-seventh Legislative Assembly extends a sincere and hearty North Dakota welcome to Mr. Reid Miller, and hopes that his stay in the Peace Garden state is pleasant and enjoyable; and

BE IT FURTHER RESOLVED, that legislators make every effort to attend the Editors Day banquet at the invitation of the press or be prepared to put up with two years of being misquoted or having their names misspelled; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to Mr. Reid Miller, to Dr. Vernon Keel and Professor Al Austin at the University of North Dakota Journalism Department, and to Mr. Gene Carr of the North Dakota Newspaper Association.

Filed March 6, 1981

CHAPTER 798

SENATE CONCURRENT RESOLUTION NO. 4087
(Committee on Employment)

POSTSESSION LEGISLATIVE EMPLOYEES

A concurrent resolution authorizing the retention of certain employees of the Senate and House and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

WHEREAS, it is necessary to complete and close all legislative work; and

WHEREAS, in order to complete and close all current legislative work of the Forty-seventh Legislative Assembly, it is necessary to retain certain employees;

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

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

SENATE POSITIONS

Secretary of the Senate
Assistant Secretary of the Senate
Desk Reporter
Bill Clerk
Chief Stenographer and Payroll Clerk
Secretary to Majority Leader
Secretary to Minority Leader
Sergeant-at-Arms
Deputy Sergeant-at-Arms
Assistant Sergeant-at-Arms
Appropriations Committee Clerk
Assistant Appropriations Committee Clerk
Chief Committee Clerk
Committee Clerks
Chief Journal and Bill Room Clerk
Chief Page
Pages
Desk Pages
Journal Proofreaders

HOUSE POSITIONS

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

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

BE IT FURTHER RESOLVED, that the employees in the above-named positions be paid their regular rates of pay as specified in House Concurrent Resolution No. 3014 for all work required pursuant to this resolution, and all of these sums are to be paid out of the appropriation to the Forty-seventh and Forty-eighth Legislative Assemblies, and paid at the completion of the legislative work, providing that payment shall not be authorized for more than 200 man-days in the aggregate, and each employee above-listed shall be paid on a pro rata basis, should the total number of man-days exceed the allowed limit.

Filed April 6, 1981

CHAPTER 799

SENATE CONCURRENT RESOLUTION NO. 4090
(Nothing)
(Approved by the Committee on Delayed Bills)

STATE AGENCY CONSTRUCTION PLANNING

A concurrent resolution authorizing all state agencies and institutions receiving appropriations under House Bill No. 1341 of the Forty-seventh Legislative Assembly to begin plans for facility construction.

WHEREAS, to avoid additional cost because of inflation, all buildings authorized under House Bill No. 1341 of the Forty-seventh Legislative Assembly should be under construction as soon after the effective date of the Act as possible; and

WHEREAS, state agencies and institutions may have moneys within their current appropriation to pay for the costs of necessary planning and design services; and

WHEREAS, it is expected that sufficient moneys will be available in July 1981 to construct many of the facilities provided for in House Bill No. 1341;

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

That each state agency and institution for which funds were appropriated for facilities in House Bill No. 1341 be authorized to begin the planning and design of such facilities immediately upon the passage of this resolution; and

BE IT FURTHER RESOLVED, that state agencies and institutions may use moneys available within current appropriations, or appropriations from the 1981-83 biennium when such moneys become available, to pay for the costs of such services; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary of State to each agency or institution which has a facility prioritized under House Bill No. 1341.

Filed April 6, 1981

CHAPTER 800

SENATE CONCURRENT RESOLUTION NO. 4091
(Nothing)
(Approved by the Committee on Delayed Bills)

PRESIDENTIAL ASSASSINATION ATTEMPT CONCERN

A concurrent resolution expressing the concern of the Forty-seventh Legislative Assembly about the recent presidential assassination attempt, and wishing President Reagan a speedy and complete recovery.

WHEREAS, the Forty-seventh Legislative Assembly was shocked, along with the rest of the citizens of this country, to learn of the assassination attempt on the President of the United States; and

WHEREAS, the Forty-seventh Legislative Assembly deplors this example of uncivilized violence and irrational action; and

WHEREAS, the Forty-seventh Legislative Assembly is pleased and grateful to the Almighty that the President survived the attack; and

WHEREAS, the Forty-seventh Legislative Assembly is concerned about those other persons injured in the shooting;

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

That the Forty-seventh Legislative Assembly expresses its dismay that irrational violence has once again struck the Chief Executive of the United States; expresses its gratitude to the Almighty for the fact that the President's life was not taken; and wishes President Reagan a speedy and complete recovery from his wound; and wishes a speedy recovery to the other wounded and expresses its concern for all the affected families; and

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

Filed April 6, 1981