

SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION NO. 4001
(Strinden, Wenstrom, Kautzmann)
(From Legislative Council Study)

CONSOLIDATION OF HUMAN SERVICES

A concurrent resolution directing the State Departments of Health and Social Services to coordinate and consolidate human services provided by community mental health and retardation centers and area social service centers.

WHEREAS, the Forty-second Legislative Assembly, as a part of appropriations bills, directed the State Departments of Health and Social Services to coordinate services provided by area social service centers and community mental health and retardation centers and to eliminate all unnecessary duplication of programs and staff within such centers; and

WHEREAS, the Forty-second Legislative Assembly also directed the Legislative Council to study the overlapping of responsibilities and the duplication of effort existing between community mental health and retardation centers and area social service centers; and

WHEREAS, studies conducted by Dr. Sheldon and Dr. Brandt and Ernst and Ernst suggest that better coordination and consolidation of regional center services to eliminate unnecessary overlap and duplication will improve the level of services provided by such centers; and

WHEREAS, consolidated human service centers were successfully organized in the Dickinson and Williston communities during this interim;

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

That the State Departments of Health and Social Services be directed to provide such guidance to the Badlands Human Service Center, Dickinson, North Dakota, and the Northwest Human Service Center, Williston, North Dakota, to assure that such Centers will not overlook or be unable to take advantage of every opportunity to establish and maintain single units providing high levels of human services; and

BE IT FURTHER RESOLVED, that the Departments of Health and Social Services take such action as may be necessary to coordinate and consolidate wherever possible the services of existing area social service centers and community mental health and retardation centers during the 1973-75 interim; and

BE IT FURTHER RESOLVED, that the Departments of Health and Social Services deliver a high level of staff assistance and direction to encourage progress in this endeavor and that such assistance include the development of programs, as well as furnishing plans for the most advantageous use of available funds from federal and other sources; and

BE IT FURTHER RESOLVED, that the Departments of Health and Social Services, and the Directors and Board members of area social service centers and community mental health and retardation centers report on their actions taken pursuant to this resolution on a regular basis to the Legislative Council or a Council committee designated by it during the 1973-75 biennium; and

BE IT FURTHER RESOLVED, that the Legislative Council submit a report, along with any legislation as may be necessary to accomplish the goals stated in this resolution, to the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4002
(Lips, Thane, Gronhovd, Mutch)
(From Legislative Council Study)

REQUESTING CONGRESS TO
RELEASE TRUST FUNDS

A concurrent resolution requesting the Congress of the United States to unconditionally release to the State of North Dakota, free of any trust agreement, the assets of the North Dakota Rural Rehabilitation Corporation.

WHEREAS, the North Dakota Rural Rehabilitation Corporation was formed in 1934 as a nonprofit charitable corporation organized at the instance of the Federal Government for the purpose of facilitating the administration of a rural rehabilitation program in North Dakota through various grants made for that purpose by Congress; and

WHEREAS, the Federal Emergency Relief Administration, which made the original federal grant to the North Dakota Rural Rehabilitation Corporation, was phased out of existence on November 30, 1935; and

WHEREAS, the last action by Congress in this regard was the passage of the "Rural Rehabilitation Corporation Trust Liquidation Act" (Public Law 499, 81st Congress, approved May 3, 1950) authorizing: (1) The return of the assets of each state rural rehabilitation corporation, or state agency or official designated by the state legislature, subject to certain limitations, or (2) The return of title to the assets to the corporation or state agency or official, with authority for the Secretary of Agriculture and the corporation or state agency or official to make a new agreement for the administration of the assets by the Secretary; and

WHEREAS, the relevance of the Corporation's program to present day rehabilitation demands is quite insignificant; and

WHEREAS, in interests of streamlining State Government, and to assure that the best and most efficient use is made of these funds, it would be desirable to have a state agency such as the Bank of North Dakota, which has a professional management and staff, administer these funds along with other contemporary programs of benefit to rural needs;

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

That the Congress of the United States is hereby urged and requested to pass legislation unconditionally releasing to the State of North Dakota, free of any trust agreement, the assets of the North Dakota Rural Rehabilitation Corporation; and

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

SENATE CONCURRENT RESOLUTION NO. 4004
(Erdman)
(From Legislative Council Study)

EXPRESSING SUPPORT FOR
COURTS IN DWI CASES

A concurrent resolution expressing support for the imposition of more appropriate sentences by the courts of this state for persons convicted of driving while intoxicated.

WHEREAS, the number of serious motor vehicle accidents and the number of persons killed on our highways have been increasing steadily; and

WHEREAS, there is no question but that alcohol is one of the major contributing factors in causing highway accidents; and

WHEREAS, approximately fifty-one percent of all persons killed in traffic crashes in North Dakota during a recent four-year period were under the influence of intoxicating liquor at the time of their death; and

WHEREAS, fifty-eight percent of all drivers killed during that four-year period were under the influence of alcohol, and forty-seven percent of those drivers had a blood alcohol concentration of fifteen-hundredths percent or higher;

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

That the Forty-third Legislative Assembly expresses its support for the imposition of more appropriate sentences by the courts of this state for persons convicted of driving while intoxicated; and

BE IT FURTHER RESOLVED, that the judges of this state be urged to use every penalty available, including jail sentences, work details, and fines, in the disposition of DWI cases; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the executive secretary of the North Dakota Judicial Council for distribution.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4005
(From Legislative Council Study)

(Morgan, Christensen)

STUDY OF LAND USE PLANNING

A concurrent resolution for a study by the Legislative Council of the field of land use planning and zoning at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

WHEREAS, land use controls in the State of North Dakota are fragmented and are exercised by numerous local governmental entities both locally and regionally; and

WHEREAS, there is legislation presently pending in Congress which focuses on state governments as the central source of land use planning, and which provides federal funding for such state-level planning; and

WHEREAS, regulation of the use of nonfederal lands has traditionally been left with the states and the states have generally delegated that authority to local entities; and

WHEREAS, land use is the single most important element affecting the quality of the environment which is not the subject of comprehensive policy statements at either the national or local levels; and

WHEREAS, in many instances, effective prevention or abatement of pollution at reasonable cost may be impossible if the location of intensive industrial, commercial, agricultural, or residential development is not controlled; and

WHEREAS, the American Law Institute has developed a Model Land Development Code, and the Council of State Governments has commenced a major study of the role of state governments in land use planning; and

WHEREAS, effective control over land use is often lacking in rural areas, a situation traceable to the delegation of local land use authority to urban governments; and

WHEREAS, the present lack of coordination between all levels of government in planning for land use in rural areas poses a major problem to creating a viable system of land resource management;

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 land use planning and zoning in the State of North Dakota, covering all the aspects of this field,

including statewide zoning, power plant siting, feedlot control, soil and water conservation, recreational area planning, and the scope of state, regional, and local controls over land use planning. In addition, the Council shall study the alternatives available for providing coordination of land use planning at all levels of government. The Council shall seek aid and assistance in carrying out this study from all interested public or private organizations and individuals, and all state agencies shall give such reasonable assistance as they may be requested to give by the Council. The Council may also seek federal grants-in-aid to help defray the costs of the study. The Council shall report its findings, along with any necessary legislation, to the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4006
(Committee on Natural Resources)

(At the request of the State Outdoor
Recreation Agency and the Game and
Fish Department)

STUDY OF POWER TRANSMISSION LINES

A concurrent resolution directing a study by the Legislative Council for the purpose of determining if some control is needed over the location and construction of power transmission lines, both public and private.

WHEREAS, electric power generation and the construction of power transmission lines continue to proliferate in North Dakota; and

WHEREAS, no agency in state government has any jurisdiction over power line routes; and

WHEREAS, a maze of power lines may detract from the natural landscape, create problems for farmers in cultivating their croplands, and interfere with sprinkler irrigation, and power lines are costly to relocate; and

WHEREAS, all utility companies, public and private, have the power of eminent domain;

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 make a study of power transmission line planning and construction for the purpose of determining whether or not the problem is severe enough to warrant legislative action, and to make its recommendation to the Forty-fourth Legislative Assembly, together with any legislation required to carry out such recommendations.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4008
(Lee)

URGING CHANGE IN POLICY CONCERNING
SALES OF STATE LAND

A concurrent resolution directing the Board of University and School Lands to confer with appropriate agencies.

WHEREAS, the Game and Fish Department completed a study in which state lands held by the Board of University and School Lands were classified into certain categories established by the Department; and

WHEREAS, the Board of University and School Lands adopted, on November 29, 1971, a resolution presented by the North Dakota Natural Resources and Environmental Management Council which placed a moratorium on the sale of state school lands classified as "acquire" or "retain" under the Game and Fish Department classification; and

WHEREAS, forbidding the sale of these state lands needlessly reduces income to the state school fund; and

WHEREAS, such land, when sold, will usually go on the local tax rolls, thus increasing revenues for local governmental operation, while such land is tax exempt under state ownership;

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

That the Board of University and School Lands is hereby urged to rescind the resolution adopted on November 29, 1971.

That the Board of University and School Lands is hereby directed to withhold from sale only those lands which the board, acting with the advice of other agencies, determines to have exceptional scenic, archaeological, historic, recreational, conservational, or wildlife enhancement value; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4009
(Longmire, Wenstrom)

EDITORS DAY

A concurrent resolution designating February 2, 1973, as North Dakota Editors Day at the Forty-third Legislative Assembly, and welcoming Mr. John Finnegan, a distinguished journalist and executive editor of the St. Paul Pioneer Press and Dispatch, to North Dakota.

WHEREAS, the members of North Dakota's esteemed Fourth Estate, the editors and reporters of the State's daily, semi-weekly, and weekly newspapers, are dedicated to informing the citizens of the State and thus serve a vital function in the democratic processes; and

WHEREAS, the North Dakota professional chapter of Sigma Delta Chi and the North Dakota Newspaper Association (NDNA) are sponsoring the biennial Editors Day at the Legislature February 2, 1973; and

WHEREAS, the Editors Day Luncheon, to which members of the Forty-third Legislative Assembly have been invited by members of the Press from their respective districts, will feature as speaker Mr. John R. Finnegan, who has long been a leading participant in the campaign to protect and further freedom of the press in Minnesota and throughout the Nation;

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

That the Forty-third Legislative Assembly commends North Dakota's editors and reporters for their continuing service to all the citizens of the State, and declares that February 2, 1973, is hereby designated Editors Day at the 1973 Legislature; and

BE IT FURTHER RESOLVED, that the Forty-third Legislative Assembly extends a hearty and sincere North Dakota welcome to Mr. John R. Finnegan, and hopes that his stay in the State is pleasant and enjoyable; and

BE IT FURTHER RESOLVED, that each Senator and Representative make every effort to attend the luncheon February 2, 1973, at the invitation of Sigma Delta Chi and the NDNA; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the national and North Dakota presidents of Sigma Delta Chi, the president of the North Dakota Newspaper Association, and to Mr. John R. Finnegan, Executive Editor, St. Paul Pioneer Press and Dispatch.

Filed February 23, 1973

SENATE CONCURRENT RESOLUTION NO. 4011
(Morgan, Mutch)

URGING USE OF GRAIN ALCOHOL IN
MOTOR VEHICLE FUELS

A concurrent resolution urging the United States Department of Agriculture, the United States Department of Commerce, and the United States Department of Transportation to assist and encourage further experimentation to determine the feasibility of using grain alcohol in motor vehicle fuels.

WHEREAS, many scientists now believe that tetraethyl lead from automobile exhausts in the atmosphere may be a major factor in the contamination of the environment; and

WHEREAS, lead interferes with the human metabolism and can cause serious illness or even death; and

WHEREAS, approximately one-third of all lead entering the bodies of Americans is from atmospheric contamination caused by automobile exhausts; and

WHEREAS, recent research indicates that by replacing lead in gasoline with a ten percent blend of grain alcohol it would be possible to effect a twenty percent reduction in the consumption of lead in the United States; and

WHEREAS, until recently it was believed that alcohol derived from grain and agricultural products was not competitive with alcohol derived from other sources; and

WHEREAS, an efficient method of fermenting grain and other agricultural products and thus producing an efficient source of grain alcohol is under investigation; and

WHEREAS, the protein residue from the fermentation process may be useful as an additive to animal feeds; and

WHEREAS, it is in the national interest to stimulate the development of a prosperous rural American and agricultural industry through the development of new uses for agricultural products; and

WHEREAS, substitution of grain alcohol for tetraethyl lead in gasoline would be beneficial to the health of the American people and lessen environmental pollution; and *

WHEREAS, because an energy crisis now exists throughout the Nation, the need for new sources of fuel has become more apparent than ever, and grain alcohol could provide such a source;

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

That the United States Department of Agriculture, the United States Department of Commerce, and the United States Department of Transportation are hereby urged to assist and encourage further experimentation to determine the feasibility of using grain alcohol in motor vehicle and other fuels; and

BE IT FURTHER RESOLVED, that the Congress of the United States is hereby urged to give due consideration to any requests the executive departments may make for funds to support an experimental program to determine the feasibility of using grain alcohol in motor vehicle fuels; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and to each member of the North Dakota Congressional Delegation.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4012
(Stroup, Roen)

URGING COOPERATION CONCERNING DATA
FROM LIGNITE TEST HOLES

A concurrent resolution urging that public agencies and private individuals cooperate with the North Dakota Geological Survey by furnishing data from lignite test holes.

WHEREAS, exploration for lignite coal has recently been accelerated; and

WHEREAS, many test holes have been drilled on public and private lands, including rights-of-way, school lands, etc.; and

WHEREAS, information resulting therefrom would be a valuable addition to the public record for the purposes of resource inventory and wise management of the mineral resources of the State;

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

That in the public interest, firms or individuals which have obtained information by drilling for lignite coal be requested to furnish information in the form of logs and samples or lithologic descriptions of test holes to the North Dakota Geological Survey, such information to remain confidential for an agreed-upon period of time; and

BE IT FURTHER RESOLVED, that county commissions and other public agencies having jurisdiction over lignite coal exploration be urged to request the filing of such information with the North Dakota Geological Survey.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4016
(Ringsak, Strinden, Morgan, Smykowski)

INSTALLMENT PAYMENTS URGED FOR VETERANS ON GI BILL

A concurrent resolution urging the North Dakota Board of Higher Education to authorize veterans attending a state college, university, or technical or vocational school on the GI Bill to pay their tuition and fees on an installment basis.

WHEREAS, veterans have performed a special service to their State and Nation through their service in the Armed Forces of the United States; and

WHEREAS, because of the service they have rendered, they are able to attend school on the GI Bill;

WHEREAS, veterans cannot receive the benefits of the GI Bill until they have shown they are enrolled in an approved college, university, or technical or vocational school;

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

That the Forty-third Legislative Assembly urges the Board of Higher Education of the State of North Dakota to authorize veterans on the GI Bill to pay their tuition and fees at state colleges, universities, and vocational and technical schools on an installment basis rather than at the beginning of the semester or quarter for which they are enrolling; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4017
(Ringsak, Strinden, Morgan, Smykowski)

HOUSING PREFERENCE FOR MARRIED VETERANS

A concurrent resolution urging the Board of Higher Education of the State of North Dakota to require that married veterans be given priority for openings as they occur in married housing at state colleges, universities, and technical and vocational schools.

WHEREAS, veterans have performed special service to their State and Nation through their service in the Armed Forces of the United States; and

WHEREAS, because of such service they have delayed their schooling; and

WHEREAS, when they return to school, economical married housing is often very difficult to obtain; and

WHEREAS, at the present time, only "combat theater" veterans who apply to a state university, college, or technical or vocational school within one year after their discharge from the Armed Forces and disabled veterans are given priority in married housing at such state institutions of higher education;

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

That the Forty-third Legislative Assembly urges the North Dakota Board of Higher Education to provide that married veterans be given priority for openings as they occur in married housing at state universities, colleges, and technical and vocational schools; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4018
(Shablow, Page, Wenstrom)

URGING RAILROADS TO PROVIDE BOXCARS

A concurrent resolution urging the railroads serving North Dakota to use every means possible to provide an adequate number of boxcars and hopper cars in order that North Dakota farmers and grain shippers may market their products on a timely basis.

WHEREAS, transportation is a vital segment of the economy, and is important to the economic development of North Dakota and the United States; and

WHEREAS, North Dakota is an agricultural state and ships most of its production to markets outside of North Dakota; and

WHEREAS, the railroads move the major portion of North Dakota's grain production to market; and

WHEREAS, shippers are experiencing a serious shortage of railroad boxcars and hopper cars for the purpose of moving North Dakota grain to market; and

WHEREAS, many grain elevators are filled to capacity and cannot buy grain, and many grain shippers are already late in shipping grain to market to meet contracts and could suffer serious financial loss if their grain is not moved to market quickly; and

WHEREAS, grain shippers and farmers desire, and should be able to ship grain to market when it is at its highest price, and our railroad transportation system should be able to provide an adequate number of boxcars and hopper cars to meet these needs; and

WHEREAS, although the railroad industry has, on occasion, done a commendable job in moving large volumes of grain to market, the boxcar shortage has been in the last few months, and continues to be extremely critical in many areas of the state;

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

That the Forty-third Legislative Assembly does hereby urge the railroads serving North Dakota to use every means possible to provide an adequate number of boxcars and hopper cars in order that North Dakota farmers and grain shippers may market their products on a timely basis; and

BE IT FURTHER RESOLVED, that the Interstate Commerce Commission take any action necessary to ensure that an adequate boxcar fleet is available to serve North Dakota, and other grain-producing states as well; and

BE IT FURTHER RESOLVED, that the Forty-third Legislative Assembly hereby requests the United States Congress to investigate immediately the railroad boxcar shortage problem and adopt appropriate laws to help remedy chronic boxcar shortages in North Dakota and in other midwest grain-producing states; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the railroads serving North Dakota, the Interstate Commerce Commission, the North Dakota Public Service Commission, the United States Secretary of Agriculture, and to the North Dakota Congressional Delegation.

Filed February 23, 1973

SENATE CONCURRENT RESOLUTION NO. 4020
(Litten)

PROGRAM BUDGETING

A concurrent resolution requesting the Office of the Executive Budget to develop a plan and to begin converting all state agency and institution budgets to a program budgeting basis, and to direct the State Departments of Health, Social Services, and Vocational Rehabilitation, and the State Industrial School to continue program budgeting.

WHEREAS, the program budgets of the State Industrial School, the State Department of Social Services, the State Department of Health, and the Division of Vocational Rehabilitation which were presented to the Forty-third Legislative Assembly by the Executive Office of the Budget meet with the approval of the Appropriations Committees of the Forty-third Legislative Assembly; and

WHEREAS, program budgeting provides the Legislative Assembly, elected officials, and agency administrators with information needed to effectively plan and allocate resources and to accomplish the job of managing the complex business of State Government; and

WHEREAS, all state agencies, departments, and institutions should be converted to program budgeting;

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

That the Office of the Executive Budget develop a plan in consultation with the Budget Committee of the Legislative Council to have all state agency, department, and institution budget requests and appropriations bills eventually prepared on a program basis with those departments not completed in time for the Forty-fourth or Forty-fifth Legislative Assemblies converted to the new system in time for the consideration of the Forty-sixth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the State Industrial School, the State Department of Social Services, the State Health Department, and the Division of Vocational Rehabilitation in addition to such other departments converted to program budgeting by such time shall present budget requests on a program basis to the Executive Office of the Budget and the Forty-fourth Legislative Assembly; and

BE IT FURTHER RESOLVED, that sufficient modifications be made to the State's standard accounting system to facilitate this new method of budgeting; and

BE IT FURTHER RESOLVED, that the Office of the Executive Budget and the Department of Accounts and Purchases provide guidelines, advice, and be available for consultation to all state agencies, departments, and institutions making efforts to accomplish the objectives set forth in this resolution.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4021

(Strinden, Nasset)

STUDY OF EXTENSION DIVISION

A concurrent resolution providing for a study by the Legislative Council of the functions, responsibilities, and operations of the Extension Division and the Experiment Stations of the North Dakota State University of Agriculture and Applied Science.

WHEREAS, the historical purpose of the Experiment Stations of the North Dakota State University of Agriculture and Applied Science is to aid in acquiring and disseminating to North Dakota's citizens useful and practical information on the subject of agriculture, and to promote and carry on research in agricultural science; and

WHEREAS, the historical purpose of the Extension Division of the North Dakota State University of Agriculture and Applied Science is to provide an informal out-of-school education program to the people of North Dakota in agriculture, home economics, and 4-H club work, and to act as a liaison between the research facilities of the University and the State's citizens; and

WHEREAS, the Extension Division also disseminates information regarding agri-business activities, community development, health, and housing, as well as other areas of interest to rural and urban North Dakota; and

WHEREAS, though present-day agriculture is a technical, innovative, and a continuously changing industry, and there has been no overall review of the functions, responsibilities, and operations of the Extension Division and Experiment Stations by the Legislative Assembly in recent years;

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 and review of the functions, responsibilities, and operations of the Extension Division and the Experiment Stations of the North Dakota State University of Agriculture and Applied Science, reviewing the original functions they were intended to perform, the responsibilities presently placed upon them, the services currently being performed, the benefits resulting from current operations, and any modification of such functions, responsibilities, and operations that might improve their utility to the State in future years, in order that activities of the State through these divisions achieve the maximum benefit for all citizens of the State; and

BE IT FURTHER RESOLVED, that all departments, agencies, and institutions are requested and directed to provide such aid, information, and assistance as the Council, in conducting this study, may reasonably request, and the Council shall make its report and recommendations, accompanied by any legislation necessary to carry out such recommendations, to the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4023

(Melland, Strinden, Goldberg)

WORKMEN'S COMPENSATION STUDY

A concurrent resolution providing for a study by the Legislative Council of the North Dakota Workmen's Compensation laws and program and the Workmen's Compensation Bureau responsibilities in the employment safety field.

WHEREAS, the National Commission on State Workmen's Compensation Laws has recommended the following inclusions among others in all state workmen's compensation laws:

As of July 1, 1973, coverage should be extended to agricultural employees whose employer's annual payroll exceeds \$1,000. By July 1, 1975, coverage should be extended to farmworkers on the same basis as all other employees.

We recommend that by July 1, 1975, household workers and all casual workers be covered under workmen's compensation at least to the extent that they are covered by Social Security.

We recommend that workmen's compensation coverage be mandatory for all government employees.

We recommend that workmen's compensation be compulsory rather than elective.

We recommend that the waiting period be no more than three days and that the retroactive period be no more than 14 days.

We recommend progressive increases in the maximum weekly wage benefit, according to a time schedule . . . , so that by 1981 the maximum in each state would be at least 200 percent of the state's average weekly wage.

WHEREAS, some of North Dakota's workmen's compensation coverage does not meet the recommendations of the National Commission, which commission's report may be the beginning of federal interest in the imposition of federal standards or federal preemption in the field; and

WHEREAS, where states have failed to meet specific standards in the past, federal laws have been passed to compel meeting such standards, as in the case of the Occupational Safety and Health Act; and

WHEREAS, the North Dakota Workmen's Compensation Bureau may be undertaking new tasks in assuming the administration of a North Dakota Occupational Safety and Health Act; and

WHEREAS, because the Bureau makes continuous payments which cover a period of years, which in some cases may be based upon extremely low income levels as measured by today's standards, it may be feasible to increase the amount of such continuous payments;

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 an interim study relative to the feasibility of improving the workmen's compensation programs and its administration and related safety programs. Such study should include a review of Title 65 of the North Dakota Century Code for the purpose of updating the workmen's compensation laws in general and should include, as well, a review of the workmen's compensation reserve fund; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct such study with the cooperation and assistance of the Workmen's Compensation Bureau and any other state or federal agency concerned with or having an interest in or an impact upon the workmen's compensation program, and such state agencies shall provide such information and assistance as the Legislative Council may request; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4024
(Goldberg)URGING CONGRESS TO DEAL WITH
TRANSPORTATION STRIKES

A concurrent resolution urging the United States Congress to enact effective legislation to deal with strikes in the transportation industry.

WHEREAS, North Dakota is a state which is a major exporter of agricultural production, and a major importer of processed and manufactured goods, and must have a viable, efficient transportation system to serve its citizens; and

WHEREAS, North Dakota is distant from the major population centers of the Nation which makes citizens of the State unusually dependent upon fast and efficient means of passenger transportation; and

WHEREAS, during the past two years the only airline serving east-west routes in North Dakota had two strikes, one of six months' duration and the other one of three months' duration; and

WHEREAS, the estimated measurable economic loss to the State of North Dakota and its citizens due to loss of movement of airline passengers, airport revenue losses, tax losses to the State and cities, losses of airline employees' salaries, and miscellaneous losses of business transactions totaled over \$1,500,000 per month during such a strike; and

WHEREAS, the losses and hardship caused by inconveniences and delay to business and travelers cannot be financially evaluated but would be considerably greater than the measurable economic loss; and

WHEREAS, the amount of hard red spring wheat, of which North Dakota is the major producer, shipped to the country of Japan decreased from 29,033,000 bushels in 1970-71 to 16,219,000 bushels in 1971-72, primarily as a result of the west coast dock strike; and

WHEREAS, considering the precarious balance of trade payments, the United States suffers a distinct blow from the loss of every bushel of wheat which does not go into export because of these strikes; and

WHEREAS, the long-term losses caused by foreign customers switching to new sources of agricultural supplies are of even greater concern, because of the detrimental effect such losses have on the economy of North Dakota, other agricultural states, and the Nation; and

WHEREAS, although the inherent right to strike in labor-management disputes must be maintained, it should also be reconciled with the rights of others in our society;

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

That the Forty-third Legislative Assembly strongly urges the United States Congress to enact selection of final offer of settlement legislation which will effectively deal with strikes in the transportation industry; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Department of Transportation, the Chairman of the Senate Committee on Commerce, the Chairman of the Senate Subcommittee on Foreign Commerce and Tourism, and to each member of the North Dakota Congressional Delegation.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4025
(Erdman)

URGING IMPROVED TRAFFIC SAFETY

A concurrent resolution urging that officials at all levels of government who have responsibilities for the construction and maintenance of public roads, as well as private citizens that occupy lands abutting public roads, exert a concentrated effort to improve safety for the traveler.

WHEREAS, traffic accidents in this Nation annually take more lives than the toll of eleven years of war in Vietnam; and

WHEREAS, this Nation should be financially able to now exert a greater effort toward saving lives on our highways; and

WHEREAS, many bills have been introduced over the years to require certain safety measures to be taken in the area of minimum standards of road construction and maintenance and many of such standards are not being met, especially in local road construction;

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

That all officials with public road responsibilities take immediate steps to undertake a safety program encompassing all matters relating to safe crossroads, driveways, and approaches; dead end roads; grades, slopes, and obstructions in ditches; and signs, utilities, culvert ends, and property within the right-of-way; and

That all private citizens who occupy lands abutting public roads, as well as those who use such roads, accept a greater responsibility to keep those things which constitute hazards to travelers and mar the beauty of the countryside eliminated from the right-of-way and the abutting land; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Governor, the North Dakota Congressional Delegation, the State Highway Commissioner, the Association of County Commissioners, the Township Officers Association, and the League of Cities.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4026
(Committee on Appropriations)

SPACE UTILIZATION STUDY BY
DIRECTOR OF INSTITUTIONS

A concurrent resolution directing the Director of Institutions to conduct a space utilization study and a facility needs and improvement study of the institutions and facilities under his control.

WHEREAS, the Legislative Assembly has been requested to appropriate funds for the construction of an administrative and service building at the Grafton State School; and

WHEREAS, there is a change in emphasis and in the manner that the mentally retarded are to be cared for, trained, and educated in North Dakota; and

WHEREAS, expansion of facilities at the Grafton State School should only be in accordance with new trends and programs planned for the mentally retarded in North Dakota; and

WHEREAS, there may be additional space needs and program changes at other institutions under the control of the Director of Institutions; and

WHEREAS, remodeling and maintenance projects are advisable at some institutions to either make space more usable or to avoid unnecessary costly repairs in the future; and

WHEREAS, state offices and departments located in the State Capitol or State Office Building perhaps could better utilize present space allocated to them or use additional space;

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

That the Director of Institutions determine future space needs of the institutions and departments under his control in accordance with anticipated program changes, and that he submit a plan to the Legislative Council's Committee on Budget prior to the Forty-fourth Legislative Assembly, including cost estimates, on the maintenance, remodeling, and facility construction necessary to implement such plan; and

BE IT FURTHER RESOLVED, that the Director of Institutions survey the utilization of space within the State Capitol and State Office Building to determine whether it is efficiently utilized, and the need for additional space by state agencies and departments, and report his findings and recommendations resulting from this survey and study to the Legislative Council's Committee on Budget prior to the Forty-fourth Legislative Assembly.

SENATE CONCURRENT RESOLUTION NO. 4027

(Freed, Nething)

LAW ENFORCEMENT STUDY

A concurrent resolution directing the Legislative Council to conduct an interim study of law enforcement and regulatory activities in the State of North Dakota.

WHEREAS, the function of law enforcement is of primary concern to the people of North Dakota; and

WHEREAS, at present the authority and responsibility for law enforcement and regulatory activities at the state level is dispersed among various departments and agencies, including, but not necessarily limited to: Attorney General; State Highway Patrol; State Radio Communications; Bureau of Criminal Investigation; State Highway Department; Law Enforcement Council; State Game and Fish Department; and

WHEREAS, it is recognized that such proliferation of authority and responsibility may lend itself to duplication of efforts among the state departments and agencies and local law enforcement officials; and

WHEREAS, throughout the years there has been much legislation proposed concerning the organization, functions, and duties of the various law enforcement and regulatory agencies; and

WHEREAS, there are many who feel that the creation of a department of public safety would best serve the interests of the State for providing the most efficient and economical enforcement and regulatory 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 is hereby authorized and directed to conduct an interim study of the law enforcement and regulatory activities in the State of North Dakota with regard to the feasibility of the creation of a department of public safety; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report to the Forty-fourth Legislative Assembly, together with such legislation as may be necessary to carry out its recommendations.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4029
(Committee on Appropriations)

URGING CONGRESS TO FUND WELFARE
PROGRAMS ON RESERVATIONS

A concurrent resolution urging the Congress of the United States to assume full responsibility for funding and administering the Aid to Families with Dependent Children Program and the Medical Assistance Program on federal Indian reservations.

WHEREAS, the historical position of the government of the United States is that it has a unique and undeniable responsibility to the American Indians; and

WHEREAS, the federal government has seen fit in the past to resettle and relocate Indian tribes from reservation to reservation and from state to state, imposing on the individual states most of the burden of providing these people the economic assistance required to achieve a minimal standard of living; and

WHEREAS, much of the land upon which the Indian people reside is held in trust by the federal government and thus is not subject to state or local taxation; and

WHEREAS, the jurisdiction of the several states to impose and collect income, sales and use, and special taxes on federal Indian reservations is in dispute and currently before the Supreme Court of the United States; and

WHEREAS, the Attorney General of the State of North Dakota has by opinion dated January 13, 1971, and clarified on July 28, 1971, determined that the Social Service Board of North Dakota does not have authority to legally enforce licensing functions with regard to foster homes caring for Indian children who live on Indian reservations within the state; and

WHEREAS, the courts of the State of North Dakota are without jurisdiction to impose or enforce parental obligations with respect to the support of dependent Indian children in those instances where their Indian parents reside within the exterior boundaries of an Indian reservation within the state; and

WHEREAS, in the 1972 fiscal year 7.8 percent of the state's total Medical Assistance Program expenditures and 25 percent of the state's Aid to Families with Dependent Children Program expenditures were made on behalf of American Indians representing 2.3 percent of North Dakota's population; and

WHEREAS, the federal government pays approximately 70 percent of the total cost of Aid to Families with Dependent Children provided by North Dakota and other states for Indian and non-Indian recipients alike, the federal government pays to three states an additional 80 percent of the non-federal share of Aid to Families with Dependent Children costs for the Navajo and Hopi Indians in Arizona, New Mexico, and Utah, pursuant to the Navajo and Hopi Rehabilitation Act of 1950; said payments for the Navajo and Hopi Indians amounting to approximately 95 percent of the total cost; and

WHEREAS, the Senate of the 92nd United States Congress in its wisdom agreed to amendments providing for federal reimbursement for 100 percent of state expenditures in public assistance programs (including medicaid) for Indians, only to have said amendment lost in conference; and

WHEREAS, the 1972 National Governors Conference adopted the policy that the federal government should administer the Social Security Act Programs on the federal Indian reservations, or if the states are to discharge this function, the federal government should first grant adequate jurisdictional authority to the states thereby enabling them to properly discharge this function; and

WHEREAS, to a large extent as a result of federal policies, Indians have been forced to live in economically deprived jurisdictions giving rise to unemployment as high as 80 percent on certain federal Indian reservations; and

WHEREAS, there is no immediate prospect that the state can substantially improve the socio-economic situation on the federal Indian reservations 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 Congress of the United States is hereby urged and requested to review and amend its statutes relating to Aid to Families with Dependent Children and Medical Assistance to provide that the federal government assume 100 percent funding of welfare programs for Indians residing on federal reservations, and that such programs be administered by the federal government in cooperation with tribal governments; 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 United States Department of Health, Education, and Welfare, and to the Secretary of the United States Department of the Interior.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4030

(Stroup, Roen, Lee)

STUDY OF LAND DISTURBING OPERATIONS

A concurrent resolution directing a study by the Legislative Council to determine the feasibility and desirability of legislation regulating clay, sand, and gravel pit and other land disturbing operations.

WHEREAS, present law regulating strip mining does not cover operations which extend less than ten feet in depth; and

WHEREAS, most clay, sand, and gravel pit and other land disturbing operations do not extend more than ten feet in depth; and

WHEREAS, approximately 26,000 acres of North Dakota have already been disturbed by gravel pit operations alone, as compared to approximately 7,000 acres disturbed by strip mining for coal; and

WHEREAS, various bills presently in the United States Congress call for the regulation of land disturbing activities other than, and in addition to, strip mining for coal;

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 make a study for the purpose of determining the feasibility and desirability of legislation regulating clay, sand, and gravel pit and other land disturbing operations in North Dakota so as to limit the damage to the land caused by such activities; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4032
(Litten)

COMMENDING SENATOR YOUNG

A concurrent resolution commending Senator Milton R. Young for his service to North Dakota.

WHEREAS, United States Senator Milton R. Young has performed twenty-eight years of effective service for the people of North Dakota in the United States Senate; and

WHEREAS, Senator Young has continually worked on behalf of a more prosperous agriculture; and

WHEREAS, Senator Young has had a major role in the writing of better price-support legislation and other farm programs; and

WHEREAS, Senator Young has worked to bring federal projects of all kinds to North Dakota to benefit the economy of the State and provide employment for North Dakota citizens; and

WHEREAS, Senator Young was instrumental in convincing the first four major industries to locate plants in North Dakota; and

WHEREAS, day by day, Senator Young fights for our State as he works for the Nation, as the most powerful Senator North Dakota has ever had; and

WHEREAS, Senator Young is a former member of the North Dakota State Senate and the North Dakota House of Representatives;

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

That the Forty-third Legislative Assembly heartily commend Senator Milton R. Young for his many years of devoted service to North Dakota, and that it join with the many North Dakotans who will honor Senator Young at the statewide Lincoln Day dinner in Bismarck; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Senator Milton R. Young.

Filed February 23, 1973

SENATE CONCURRENT RESOLUTION NO. 4035

(Morgan, Christensen)

STUDY OF PESTICIDE CONTROL

A concurrent resolution directing the Legislative Council to make a study of necessary legislation and costs to the State of North Dakota to comply with the Federal Environmental Pesticide Control Act of 1972, requiring implementation of training programs for certification of all commercial and private applicators of pesticide chemicals.

WHEREAS, Congress enacted into law in October 1972 the Federal Environmental Pesticide Control Act of 1972 and directed that each agricultural state shall have three years from the date of enactment to submit a state plan and designate a state agency to administer such a plan, which shall prescribe standards and procedures for the certification of all commercial and private applicators of restricted pesticide chemicals; and

WHEREAS, a farm state must make a showing that the agency designated by the legislature to submit the plan has legal authority and qualified personnel to carry out the plan, and has assurances of adequate funds to administer the plan; and

WHEREAS, the State's standards for certification of applicators of pesticides must conform with standards prescribed by the administrator of the United States Environmental Protection Agency; and

WHEREAS, Congress defined pesticides as meaning any substance intended for use in preventing, destroying, or mitigating any pest, including any substance used as a plant regulator, defoliant, or desiccant, which includes practically all types of agricultural chemicals used by the private and commercial applicators in North Dakota; and

WHEREAS, the Environmental Pesticide Control Act of 1972 provides that two years after the date of the Act, all pesticide chemicals shall be classified as either restricted or general use pesticides; and

WHEREAS, the Act provides that by October 1976 no commercial or private applicator shall use restricted pesticides unless such applicator has first been certificated under federal standards as to his competency with respect to the use or handling of restricted pesticide chemicals; and

WHEREAS, the federal Act provides that the Governor of each state may submit a plan to carry out federal certification requirements, provided that the state has designated a state department with legal authority conveyed by the legislature to administer such a plan, that the legislature has provided adequate moneys to implement the state plan, and that the state department agrees to make reports to the Federal Environmental Protection Agency as required by law; and

WHEREAS, under federal requirements, the state must establish pesticide container disposal and spillage procedures; and

WHEREAS, a study should be made of other agricultural states' training, testing, and certification programs which meet Federal Environmental Protection Agency requirements; and

WHEREAS, the implementation of the Federal Environmental Pesticide Control Act of 1972 will directly affect all farmers in North Dakota, the State's farm economy, and the ability of farmers to economically produce an abundance of farm products;

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 make a study to determine what legislation is required and the appropriation needed for North Dakota to comply with requirements of the Federal Environmental Pesticide Control Act of 1972 (set forth in Public Law 92-516 adopted by the 92nd Congress in H.R. 10729). The study should consider legislation which will:

1. Designate a state department or agency with responsibility for the preparation and execution of a statewide plan to meet federal requirements in the training and certification of all applicators of pesticides;
2. Provide adequate personnel, equipment, and facilities to set up certification schools which meet federal standards for applicators of pesticides which meet federal standards;
3. Provide an appropriation for the necessary state personnel, inspectors, and enforcement personnel; and
4. Provide the state department with rulemaking power to promulgate rules and regulations and penalties, consistent with federal requirements; and

BE IT FURTHER RESOLVED, that the Legislative Council prepare and recommend to the Forty-fourth Legislative Assembly such legislation as it may deem advisable after its study and after consultation with the following state agencies: the Department of Agriculture, the Aeronautics Commission, the Agricultural Experiment Station, the North Dakota State University Cooperative Extension Service, the State Laboratories Department, the State Health Department, the North Dakota Game and Fish Department, the State Toxicology Laboratory, and the Livestock Sanitary Board; and the following associations: the North Dakota Agricultural Association, the North Dakota Crop Improvement Association, the North Dakota Aviation Association, the County Agents Association, and the North Dakota Stockmen's Association; and

BE IT FURTHER RESOLVED, that all other state agencies and departments provide assistance and information as requested by the Council.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4036
(Jones)

COMMUTER AIRLINE SERVICE

A concurrent resolution urging the Aviation Subcommittee of the Commerce Committee of the United States Senate to give favorable consideration to Senate Bill No. 3460, which authorizes the United States Civil Aeronautics Board to contract for experimental commuter airline service to be provided to small communities in sparsely populated states, such as North Dakota.

WHEREAS, the Aviation Subcommittee of the Commerce Committee of the United States Senate has under consideration Senate Bill No. 3460, which if favorably reported by the Subcommittee, the Senate Commerce Committee and passed by Congress, would authorize the United States Civil Aeronautics Board to contract for experimental commuter airline service to be provided to small communities in sparsely populated states such as North Dakota; and

WHEREAS, the Aviation Subcommittee of the Senate Commerce Committee conducted hearings on Senate Bill No. 3460 in 1972, in which the director of the North Dakota Aeronautics Commission, an agency of the State of North Dakota testified in support of S. 3460 and requested that the Aviation Subcommittee broaden the Senate Bill to include the comprehensive commuter airline state plan advocated by the North Dakota Aeronautics Commission, which would provide commuter air service on an experimental basis between trade area cities in North Dakota; and

WHEREAS, under the North Dakota commuter air service plan, scheduled air service with third level type of aircraft, would be provided between the cities of Bismarck, Dickinson, Devils Lake, Fargo, Grand Forks, Jamestown, Minot, Wahpeton and Williston and such other North Dakota cities as may be feasible; and

WHEREAS, the North Dakota commuter air service plan would provide at least nine North Dakota cities with scheduled air service with two round trips per day with each city receiving morning departures to its principle community of interest cities and evening return flights; and

WHEREAS, Senate Bill No. 3460 authorizes experimental commuter air service for a three-year period in areas or states with sparse population to determine its acceptance as a part of the nations' air transportation system; and

WHEREAS, North Dakota has been adversely affected by major trunk airline strikes during extended periods, during both the years 1970 and 1972, and in the event experimental commuter air service was operating in North Dakota, such air service

would provide North Dakota with the capability for emergency extension of such air service from nine North Dakota cities beyond to Minneapolis-St. Paul, Minnesota, during such shut-downs of the regular airlines serving North Dakota;

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

That the Aviation Subcommittee of the Commerce Committee of the United States Senate is urged to broaden the scope of Senate Bill No. 3460 to include the North Dakota comprehensive commuter airline state plan advocated by the North Dakota State Aeronautics Commission, which has been made a part of the hearing record, and to recommend Senate Bill No. 3460 for passage by the United States Senate; and

BE IT FURTHER RESOLVED, that the Congress of the United States is hereby urged to give Senate Bill No. 3460 favorable consideration; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Chairman of the Aviation Subcommittee of the Commerce Committee of the United States Senate; to the Chairman of the Senate Commerce Committee; to the Chairman of the Civil Aeronautics Board, Washington, D.C., and to each member of the North Dakota Congressional Delegation.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4037

(Holand)

STUDY OF SCHOOL FINANCE

A concurrent resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools.

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

WHEREAS, population shifts and school district reorganization have resulted in major changes in the patterns of expenditures of public funds for elementary and secondary schools since that time; and

WHEREAS, changing times have resulted in changes in educational programs and curriculums, with increased emphasis on special programs, summer sessions, and transportation, all of which have resulted in the placing of a greater burden upon the educational dollar; and

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

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

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 hereby directed to study the entire field of the financing of elementary and secondary schools in North Dakota, with emphasis upon the Foundation Program, school transportation costs, costs of summer sessions and the relationship and impact of such programs on Foundation Program payments, and the methods of accounting and reporting used by the various schools and school districts; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4038
(Nothing)

INVESTMENT PRACTICES OF COUNTIES

A concurrent resolution requesting the State Auditor to make a study of the cash flow and investment practices and policies of the several county governments.

WHEREAS, statistics available in county audit reports suggest that some counties are maintaining surplus funds investments in excess of actual needs; and

WHEREAS, it seems that some counties are not taking such surplus funds adequately into account by lowering property tax levies; and

WHEREAS, legislative intent was and is that surplus revenues, less a reasonable amount of reserve, are to be taken into account in levying property taxes in the several counties 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 State Auditor is hereby requested to carry out a comprehensive study of the cash flow, cash balances, and investment practices and policies of the several county governments in this State; and to make a written report of his findings and recommendations to the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4039

(Barth, Holand)

STUDY OF ASSESSMENT PRACTICES

A concurrent resolution directing the Legislative Council to study the laws, practices, and procedures involved and concerned with the North Dakota sales, market, productivity and other studies for assessment purposes.

WHEREAS, North Dakota is one of 41 states which annually conduct some type of real estate ratio study to aid in real property assessments for tax purposes, and North Dakota publishes the results of its study in a booklet called the North Dakota Sales Ratio Study; and

WHEREAS, concern has been expressed by state tax officials, legislators, county directors of tax equalization, county commissioners, newspaper editorials, and the general citizenry that the credibility and effectiveness of the North Dakota Sales Ratio Study is steadily diminishing; and

WHEREAS, the pressures of inflation and speculative property buying has driven property values upward during the 1960s and the early 1970s, but the assessments have not risen as rapidly, hence the statewide average sales ratio has declined considerably; and

WHEREAS, one of the major difficulties is obtaining information concerning property sales figures since the Federal Government discontinued issuing federal revenue stamps in January 1968; and

WHEREAS, it appears there are too many individuals and officials involved in the administration of the study, from the township level to the state level; and

WHEREAS, one of the purposes of the study, to equalize assessments across the State, is not being met since faulty and inaccurate information is being fed into the study; and

WHEREAS, the study is an important tool for the State Board of Equalization to use in raising and lowering the assessed value of properties in counties in an attempt to reach equalization; and

WHEREAS, under the provisions of Chapter 15-40.1, the Tax Commissioner certifies the county ratios to the State Superintendent of Public Instruction for the purpose of determining the correct tax levy for the educational Foundation Aid Program; and

WHEREAS, the study is also used by township, county, and city assessors and boards of tax equalization; and

WHEREAS, more reliable and accurate information on property sales is needed to make the study effective;

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

That the Forty-third Legislative Assembly hereby direct and authorize the Legislative Council to conduct a study of the laws, practices, and procedures of the North Dakota sales, market, productivity and other studies for assessment purposes in an effort to determine their areas of strength and weakness, and to determine if legislation should be recommended which would add to the studys reliability and effectiveness; and

BE IT FURTHER RESOLVED, that the State Tax Department provide assistance in this study as requested, and that all other state departments, agencies, and political subdivisions, particularly city, county, and township assessors, provide necessary aid, information, and assistance as the Council may request; and

BE IT FURTHER RESOLVED, that the Council report its recommendations to the Forty-fourth Legislative Assembly, together with suitable legislation to achieve the purposes of the study.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4048

(Jones)

STUDY OF COOPERATIVE
VOCATIONAL EDUCATION PROGRAMS

A concurrent resolution directing the Legislative Council to conduct a study of cooperative vocational education programs between and among school districts, and to determine the feasibility of providing incentive payments to school districts which send students to other districts for vocational education programs.

WHEREAS, many school districts in North Dakota are unable to provide comprehensive vocational education programs because such schools have insufficient numbers of students to efficiently provide such programs; and

WHEREAS, there is a need for cooperation between and among school districts in this State in order that all students attending secondary schools have the opportunity to take vocational education courses; and

WHEREAS, planning and coordination are necessary to effectively implement a cooperative system of vocational opportunities to meet the needs of the citizens 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 hereby authorized and directed to conduct a comprehensive study, with the aid and assistance of the State Board for Vocational Education and the Superintendent of Public Instruction, of the feasibility of establishing cooperative vocational education programs at the secondary level between and among school districts, and to consider alternative methods of financing such programs, including, but not limited to, the possibility of providing incentive payments to school districts which send students to other districts for the purpose of taking vocational education courses; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4051
(Jones)

SAFEKEEPING OF PICTURES OF LEGISLATORS

A concurrent resolution directing the State Historical Society and the Director of Institutions to take possession of pictures of legislators, catalog them and place them in safekeeping with the State Historical Society.

WHEREAS, pictures have been taken of legislators of the State of North Dakota since the beginning of statehood; and

WHEREAS, in the past, such pictures were on display in the Capitol Building but, due to the need for office space, were removed and put in storage; and

WHEREAS, such pictures constitute a part of North Dakota's heritage for the benefit of its future generations;

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

That the pictures of legislators be removed from their place of storage by the Director of Institutions and the State Historical Society and cataloged and stored for safekeeping by the State Historical Society; and

BE IT FURTHER RESOLVED, that the State Historical Society shall have authority to reproduce and reduce such pictures and make them available for public display in the Capitol Building; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Director of Institutions and the Director of the State Historical Society.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4061
(Barth, Hoffner)

COMMENDING MARY COLLEGE
LEGISLATIVE GUIDES PROGRAM

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

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

WHEREAS, the sixteen Mary College students who participated in this year's project, under the direction of Professor Neal Kalberer, were Debbie Barth, Gayle Froelich, Mary Moriarty, Robert Rockstad, Darryl Rau, Jerry Ternes, Warren Freier, Jean Geinert, Don Henniger, Dwight Barth, Ronald Schumacher, Christina Oldenburg, Timothy Curns, Janice Kopp, Linda Renskers, and Mary Wakefield; and

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

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

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

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

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

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

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

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4063
(Litten, Nasset)

COMPLETION OF LEGISLATIVE JOURNALS

A concurrent resolution providing for the completion of the legislative journals of the senate and house.

WHEREAS, after termination of the Forty-third Legislative Assembly a complete record with index of the senate and house journals must be prepared;

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

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

BE IT FURTHER RESOLVED, that for the expenses of the said Leo Leidholm and Roy Gilbreath, as above set forth, there shall be allowed the sum of \$1500.00 each, which shall include compensation for any assistance deemed necessary by them, all to be paid as other legislative expense, and paid when the respective claims are verified by the affidavits of the said Leo Leidholm and Roy Gilbreath showing completion of such work.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4064

(Melland, Nasset)

COMPREHENSIVE EDUCATION STUDY

A concurrent resolution directing the Legislative Council to study the impact and ramifications of issuance of bonds by junior colleges; the impact of state aid to junior colleges; the division of vocational education services between colleges, universities, and secondary schools; the possibility of commingling vocational and special education funds, and distributing them through the Foundation Program while retaining flexibility of administration; and the impact of various factors, legal and economic, on all phases of educational finance.

WHEREAS, studies have been made of the impact of revenue bond financing at the state institutions of higher learning, but have not been made with regard to bonding by junior colleges; and

WHEREAS, more information should be available for legislative consideration concerning the implications which arise for elementary and secondary schools in school districts receiving state aid for junior colleges; and

WHEREAS, numerous factors are leading to increased attention being paid to vocational and special education; and

WHEREAS, it is extremely important that those children needing special education and desiring vocational education be presented with the best possible programs, instruction, and facilities for achieving such education and training; and

WHEREAS, possible changes in the method of federal funding of vocational and special education; questions concerning the extent of state, as contrasted to local, responsibility for vocational and special education programs; and the impact of federally funded programs on elementary, secondary, and post-secondary education will require much study prior to legislative action;

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 special committee consisting of members of both the Budget Committee and the Education Committee, is directed to carry out a comprehensive study of: the issuance of bonds by junior colleges and the present and potential impact on the school districts wherein such colleges are located; the impact on other schools in the

district of state aid to junior colleges; the possibility of providing new methods of financing vocational and special education programs; the impact of federal funding and other program changes on vocational and special education funding; the division of vocational and special education responsibilities between institutions of higher education and secondary schools; and the extent of state and local participation in providing vocational and special education programs. The Legislative Council may seek information and assistance from the Board of Higher Education, the Superintendent of Public Instruction, the Director of Vocational Education, and other appropriate governmental agencies. The Legislative Council shall report its findings and recommendations, accompanied by any necessary legislation, to the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4065
(Committee on Natural Resources)

ENVIRONMENTAL LAWS STUDY

A concurrent resolution directing a study by the Legislative Council in order to determine the adequacy of present environmental laws and their enforcement.

WHEREAS, North Dakota's land, water, air, and wildlife are irreplaceable natural resources; and

WHEREAS, man has only begun to recognize the damage he has caused to these natural resources and to enact and enforce laws and regulations in an effort to halt further degradation of his environment; and

WHEREAS, many of the existing laws and regulations have been drawn and enacted without sufficient study; and

WHEREAS, North Dakota has been more fortunate than most states in that most of its natural resources are still in a salvageable 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 hereby directed and authorized to undertake a study of North Dakota's environmental laws and regulations for the purpose of determining whether or not additional laws and regulations are needed, with special emphasis upon the necessity for a Natural Resources or Conservation Department, a State Environmental Protection Agency, environmental impact statements, weather modification authority and the right of citizen suits to halt environmental degradation; to determine whether existing environmental laws and regulations require changes; and to determine the adequacy of enforcement of existing environmental laws and regulations; and

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

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4068
(Kautzmann)REQUESTING EVALUATION OF
MARMOT HIGH SCHOOL

A concurrent resolution requesting the Director of Institutions to evaluate the teaching programs at Marmot High School as they relate to the public school system.

WHEREAS, Marmot High School at the State Industrial School uses an educational program unique to its function; and

WHEREAS, the rehabilitation of the student is of paramount concern; and

WHEREAS, it is desirable that a full evaluation be made of the effectiveness of the programs and of any transition problems which may be caused for students entering and leaving the Industrial School;

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

That the Director of Institutions is hereby requested to carry out a study of the teaching programs at Marmot High School (State Industrial School) to determine whether such programs are adequately fulfilling the needs of the students at the high school, and to determine whether such students have problems in making a transition in transferring to and from Marmot High School. The Director of Institutions may apply for a grant from the Law Enforcement Council to finance this study. The Superintendent of the State Industrial School and the Superintendent of Public Instruction are requested to give such aid and assistance as may be needed. The Director of Institutions is requested to render a report of his study to the Superintendent of the State Industrial School and the Superintendent of Public Instruction, and file a copy with the Legislative Council, prior to the convening of the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4069
(Lee, Kautzmann, Butler, Berube, Coughlin)

URGING ANTI-ABORTION AMENDMENT

A concurrent resolution requesting the Congress of the United States to propose an amendment to the United States Constitution for ratification by the states which will guarantee the right of the unborn human to life throughout its intrauterine development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency.

WHEREAS, 77 percent of those voting in the November 7th, 1972, general election in North Dakota rejected abortion as an alternative to solving the problems of maternal and prenatal and natal health; and

WHEREAS, the United States Supreme Court on January 22, 1973, nullified the overwhelming decision of the North Dakota electorate to protect unborn human life by interpreting the United States Constitution in a way which allows the destruction of unborn human life to preserve the well-being of the pregnant woman; and

WHEREAS, the sweeping judgment of the United States Supreme Court in the Texas and Georgia abortion cases is a flagrant rejection of the unborn child's right to life through the full nine-month gestation period; and

WHEREAS, human life in the womb is entitled to the protection of the laws which may not be abridged by act of any court or legislature or by any judicial interpretation of the Constitution of the United States;

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

That the Congress of the United States is hereby urged and requested to propose a constitutional amendment for ratification by the states that will guarantee the explicit protection of all unborn human life throughout its intrauterine development subordinate only to saving the life of the mother, and will guarantee that no human life shall be denied protection of law or deprived of life on account of age, sickness, or condition of dependency, and that Congress and the several states shall have power to enforce this article by appropriate legislation; 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 United States Senate, the Clerk of the United States House of Representatives, and the President of the United States.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4070
(Rait, Shablow)

URGING FEDERAL INCOME TAX REFORM

A concurrent resolution urging the Congress of the United States to further examine, study and review the Internal Revenue Code of the United States and as a matter of priority enact the necessary amendments and changes thereto inasmuch as continued progress on tax reform is of vital importance and an economic necessity for the well-being of the taxpayers of the United States.

WHEREAS, the Congress of the United States in enacting the Tax Reform Act of 1969 made great strides in tax reform through its many liberal provisions; and

WHEREAS, the Congress of the United States in enacting the Revenue Act of 1971 continued this same progress and at the same time enacted some economy priming provisions; and

WHEREAS, studies have shown that the complexities in our federal tax laws continue to hide many gross inequities;

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

That the Congress of the United States further examine, study and review the Internal Revenue Code of the United States and as priority legislation enact the necessary amendments and changes to the Internal Revenue Code of the United States that will equalize the tax burden of the taxpayers of the United States; and

BE IT FURTHER RESOLVED, that the Congress of the United States explore new methods of taxation that will be fair and equal in their application to the taxpayers, such study encompassing areas other than the value added tax, which tends to be hidden and regressive; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of the United States; to the Speaker of the House of Representatives of the United States; to the President of the Senate of the United States; to Senators Milton R. Young and Quentin N. Burdick; and to Congressman Mark Andrews.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4072
(Hoffner)

URGING REINSTATEMENT OF
RURAL HOUSING PROGRAMS

A concurrent resolution urging the Congress to ensure reinstatement of all subsidized and interest credit Farmers Home Administration and the reinstatement of Housing and Urban Development Programs for the elderly and low-to-moderate income citizens of rural America.

WHEREAS, the rural areas of the United States today contain two-thirds of the substandard housing units in the country; and

WHEREAS, rural and farm residents of our country receive a lower share of personal income than urban residents due to lack of bargaining power in the market, continued relatively low farm prices, high overhead and operating costs, inflationary pressures, and underdevelopment of natural and human resources; and

WHEREAS, there exists a national problem of population maldistribution between the rural and urban areas, and the flow of population from rural to urban areas continues unabated due to lack of economic opportunity and lack of improved living conditions for rural people;

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

That the Forty-third Legislative Assembly strongly urges Congress to ensure the reinstatement with all possible haste of all subsidized and interest credit federal housing programs available to rural areas, prior to the eighteen-month moratorium imposed by the White House on January 8, 1973, in order that rural America have available decent, safe, and sanitary housing for the elderly and for low-to-moderate income family units, and to serve the economic uplift afforded through those programs; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, to the Secretary of the Department of Agriculture, to the Secretary of the Department of Housing and Urban Development, to the Chairmen of the United States Senate and House Appropriations Committees, and to each member of the North Dakota Congressional Delegation.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4074
(Barth)

COMMENDING STANDING ROCK SIOUX TRIBE

A concurrent resolution commending the Standing Rock Sioux Tribe upon the one hundredth anniversary of the establishment of the Standing Rock Agency at Fort Yates.

WHEREAS, the Standing Rock Sioux Tribe will observe the one hundredth anniversary of the establishment of the Standing Rock Agency at Ft. Yates in a "Centennial Week" celebration scheduled for July 15-22, 1973; and

WHEREAS, the Standing Rock Sioux Tribe under the farsighted leadership of its Tribal Councils has made significant progress in developing its political, economic, judicial, artistic, social, and cultural resources, especially since the beginning of the Oahe Rehabilitation Program; and

WHEREAS, more recently the Standing Rock Sioux Tribe has gained national recognition for its achievements in developmental planning and for its implementation of long-range developmental projects; and

WHEREAS, the North Dakota Legislative Assembly has expressed that it is the policy of the State to cooperate fully with tribal councils in developing the resources of Indian communities;

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

That the warmest greetings of this Assembly be and are hereby extended to the Standing Rock Sioux Tribe on the occasion of their "Centennial Week" celebration; and

BE IT FURTHER RESOLVED, that the Standing Rock Sioux Tribe be and is hereby commended for its achievements over the past one hundred years, and for the leadership and example it has shown in the development of Indian programs; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Chairman of the Standing Rock Sioux Tribe by the Governor of North Dakota or his representative and the Legislative Delegation from the 35th Legislative District at the special observances to be held at Ft. Yates, North Dakota on July 18, 1973.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4077
(Committee on Delayed Bills)

(At the request of Select Senate Investigating Committee on the North Dakota State Penitentiary)

(Coughlin)

STUDY OF CORRECTIONAL INSTITUTIONS

A concurrent resolution directing the Legislative Council to carry out a comprehensive study and investigation of the State's correctional institutions.

WHEREAS, events at the State Penitentiary led to a change in Penitentiary administration and prompted the creation of a Select Senate Committee to investigate conditions at the Penitentiary and the State Farm; and

WHEREAS, testimony before the Select Senate Committee indicated there may be a need for a complete reevaluation of the programs and facilities at the State's correctional institutions; and

WHEREAS, one of the recommendations of the Select Committee is an in-depth investigation of all state institutions, excluding the institutions of higher education, commencing with an investigation and study of the State's correctional institutions during the 1973-1974 legislative interim;

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 and in-depth analysis and study of the State Penitentiary, the State Industrial School, the State Farm, and the facilities and programs at Jamestown State Hospital for treatment and diagnosis of persons convicted of criminal offenses. The Legislative Council may request and shall receive such reasonable assistance from appropriate state officials and employees as may be necessary. The Council may call on such persons to assist it in carrying out this study as it deems necessary.

The Council, if it deems it necessary, may authorize the issuance of subpoenas in the manner provided by law. The Council shall report its findings and recommendations, along with any necessary legislation, to the Forty-fourth Legislative Assembly.

Filed April 4, 1973

SENATE CONCURRENT RESOLUTION NO. 4078
(Committee on Delayed Bills)
(Barth, Coughlin)

COMMENDING FORT YATES' BASKETBALL TEAM

A concurrent resolution congratulating the Fort Yates Warriors basketball team on winning the 1973 North Dakota State Class A Basketball Championship.

WHEREAS, the Fort Yates Warriors, the State's smallest Class A school, came from behind several times to defeat the State's largest Class A school, Minot, 79-78 in a championship finale which went three dramatic overtime periods; and

WHEREAS, this is the first time in the history of the Class A Tournament that the championship game has gone into three overtime periods; and

WHEREAS, the mighty Warriors are only the third team ever to win championships in both Class A and Class B, winning Class B championships in 1956 and again in 1964; and

WHEREAS, Fort Yates placed two of its outstanding players, Wyman Archambault, whose 17-foot, fallaway jump shot with just two seconds remaining in regulation play sent the game into overtime, and Darrell Eaglestaff, the leading scorer in the championship game with 29 points, on the All-Tournament Team; and

WHEREAS, this was the fifth year in his six seasons at Fort Yates that coach Clark Swisher has led the Warriors into a state tournament, a success record almost unparalleled in North Dakota coaching ranks;

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

That the Legislative Assembly extends to all the members of the Fort Yates Warriors basketball team, and their coach, Clark Swisher, its heartiest congratulations upon not only winning the 1973 State Class A Basketball Championship, but also in showing the determination and courage they did to fight back against almost impossible odds in the championship game to take the title; and

BE IT FURTHER RESOLVED, that copies of this resolution be presented to coach Clark Swisher and to each member of the championship team.

Filed April 4, 1973