

HOUSE CONCURRENT RESOLUTION NO. 3058

Introduced by

Representatives Warner, Belter, Koppang, Nicholas

1 A concurrent resolution directing the Legislative Council to study the chemical application
2 industry and develop a method for assessing or determining damage due to misapplication and
3 for resolution of disputes through mediation.

4 **WHEREAS**, the spraying of chemical pesticides is an important part of the agricultural
5 commodity production process and is an important part of an integrated pest management
6 process; and

7 **WHEREAS**, if chemical pesticides are misapplied, the risk or damage to people,
8 animals, crops, and the environment can rise to significant proportions; and

9 **WHEREAS**, the advancement of technology surrounding the development of new
10 chemical pesticides will increase their usage and consequently increase the risk or damage to
11 people, animals, crops, and the environment; and

12 **WHEREAS**, issues of liability and recovery for misapplication if resolved through the
13 courts rather than through trained mediators can require a tremendous commitment of time and
14 resources; and

15 **WHEREAS**, agronomists, agricultural commodity groups, commercial chemical
16 sprayers, and the insurance industry are parties that have an interest in resolving disputes
17 arising from misapplication of chemical pesticides through developing a mediation process;

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

20 That the Legislative Council study the chemical application industry and develop a
21 method for assessing or determining damage due to misapplication and for resolution of
22 disputes through mediation; and

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