

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

HOUSE CONCURRENT RESOLUTION NO. 3058
(Representatives Warner, Belter, Koppang, Nicholas)

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

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

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

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 1999,
at _____ o'clock _____ M.

Secretary of State