

EC-2020. A communication from the Secretary of Defense, transmitting, a draft of proposed legislation to provide tax incentives to employers of members of Reserve components; to the Committee on Finance.

EC-2021. A communication from the Acting Secretary of Labor, transmitting, pursuant to law, the report of the trade and employment effects of the Caribbean Basin Economic Recovery Act; to the Committee on Finance.

EC-2022. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled "The Medicare and Medicaid Fraud, Abuse, and Waste Prevention Amendments of 1997"; to the Committee on Finance.

EC-2023. A communication from the Secretary of Housing and Urban Development, transmitting, a draft of proposed legislation entitled "The Housing 2020: Multifamily Management Reform Act"; to the Committee on Finance.

EC-2024. A communication from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting, pursuant to law, the annual report for 1997; to the Committee on Finance.

EC-2025. A communication from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting, pursuant to law, the annual report for 1997; to the Committee on Finance.

EC-2026. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, sixty-four rules including a rule entitled "Depower Exclusions from Requirements for Vehicles" (RIN2127-AG80, 2127-AG14, 2105-AC51, 2105-AC57); to the Committee on Commerce, Science, and Transportation.

EC-2027. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report entitled "Methods For Salmonid Stock-Specific Identification In Ocean Fisheries"; to the Committee on Commerce, Science, and Transportation.

EC-2028. A communication from the Acting General Counsel of the Department of Commerce, transmitting, a draft of proposed legislation entitled "The Weather Service Modernization Streamlining Act of 1997"; to the Committee on Commerce, Science, and Transportation.

EC-2029. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, four rules including a rule entitled "Fisheries in the Exclusive Economic Zone Off Alaska" (RIN0648-AH06); to the Committee on Commerce, Science, and Transportation.

EC-2030. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, three rules including a rule entitled "Magnuson-Stevens Act Provisions" (RIN0648-AJ59, AI13, AI19); to the Committee on Commerce, Science, and Transportation.

EC-2031. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, three rules including a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska"; to the Committee on Commerce, Science, and Transportation.

EC-2032. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pur-

suant to law, two rules including a rule entitled "Fisheries of the Northeastern United States" (RIN0648-AH06, AI80); to the Committee on Commerce, Science, and Transportation.

EC-2033. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a certification regarding the incidental capture of sea turtles; to the Committee on Commerce, Science, and Transportation.

EC-2034. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, two rules including a rule concerning disclosures regarding energy consumption; to the Committee on Commerce, Science, and Transportation.

EC-2035. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a rule received on May 21, 1997; to the Committee on Commerce, Science, and Transportation.

EC-2036. A communication from the Acting Managing Director (Performance Evaluation and Records Management), Federal Communications Commission, transmitting, pursuant to law, a rule received on May 14, 1997; to the Committee on Commerce, Science, and Transportation.

EC-2037. A communication from the Chairman of the U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the report on the nondisclosure of safeguards information for the period January 1 through March 31, 1997; to the Committee on Environment and Public Works.

EC-2038. A communication from the Chair of the Good Neighbor Environmental Board, transmitting, pursuant to law, the annual report for calendar year 1996; to the Committee on Environment and Public Works.

EC-2039. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a project for flood control; to the Committee on Environment and Public Works.

EC-2040. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a project for flood damage reduction; to the Committee on Environment and Public Works.

EC-2041. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a rule to list the Barton Springs Salamander as endangered (RIN1018-AC22) received on May 1, 1997; to the Committee on Environment and Public Works.

EC-2042. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to regulations concerning oils; to the Committee on Environment and Public Works.

EC-2043. A communication from the Director of the Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a rule received on May 16, 1997; to the Committee on Environment and Public Works.

EC-2044. A communication from the Director of the Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a rule received on May 19, 1997; to the Committee on Environment and Public Works.

EC-2045. A communication from the Director of the Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a rule received on May 21, 1997; to the Committee on Environment and Public Works.

EC-2046. A communication from the Director of the Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, a rule received on

May 22, 1997; to the Committee on Environment and Public Works.

EC-2047. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, three rules received on May 1, 1997; to the Committee on Environment and Public Works.

EC-2048. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, two rules received on May 1, 1997; to the Committee on Environment and Public Works.

EC-2049. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, six rules received on May 6, 1997; to the Committee on Environment and Public Works.

EC-2050. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, fourteen rules received on May 8, 1997; to the Committee on Environment and Public Works.

EC-2051. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, two rules received on May 12, 1997; to the Committee on Environment and Public Works.

EC-2052. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, a rule received on May 14, 1997; to the Committee on Environment and Public Works.

EC-2053. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, three rules received on May 14, 1997; to the Committee on Environment and Public Works.

EC-2054. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, nine rules received on May 14, 1997; to the Committee on Environment and Public Works.

EC-2055. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, three rules received on May 19, 1997; to the Committee on Environment and Public Works.

EC-2056. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, one rule received on May 20, 1997; to the Committee on Environment and Public Works.

EC-2057. A communication from the Director of the Office of Regulatory Management and Information, U.S. Environmental Protection Agency, transmitting, pursuant to law, four rules received on May 21, 1997; to the Committee on Environment and Public Works.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-52. A concurrent resolution adopted by the Legislature of the State of Arizona; to

the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT MEMORIAL 2005

Whereas, agriculture in the State of Arizona represents a \$6.2 billion industry; and

Whereas, wheat production, a \$90 million industry in Arizona, plays an important role in maintaining the fertility and efficiency of Arizona's soils; and

Whereas, Arizona wheat producers have developed a \$35 million durum wheat seed industry that supplies customers around the world; and

Whereas, the discovery of the Karnal bunt fungus in Arizona in March 1996 has affected not only Arizona's wheat industry but all of the state's related agricultural commodities, including livestock and dairy; and

Whereas, while Karnal bunt affects grain quality, it does not present a direct risk to human health or livestock; and

Whereas, the United States Department of Agriculture has implemented a quarantine on the state of Arizona, restricting the interstate movement not only of wheat but also of other regulated articles such as wheat conveyors, grain elevators and related equipment; and

Whereas, nine other states have discovered Karnal bunt spores in their wheat and have not been quarantined to the extent that Arizona has been; and

Whereas, the American Phytopathological Society has stated its opposition to a "zero tolerance" requirement for Karnal bunt seed spores, suggesting that Karnal bunt is a minor disease that can be effectively managed without the use of quarantines. The Society believes that this and similar diseases can be satisfactorily controlled by seed-treatment chemicals, resistant varieties and the use of cultural practices; and

Whereas, the United States cannot declare itself as free of Karnal bunt for international trading purposes as long as even a single state reports the presence of this disease. A finding of Karnal bunt in any state could unfairly result in the restriction of all wheat from the United States, even that produced and imported from an unaffected area of the nation.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States instruct the United States Department of Agriculture to establish reasonable, science-based standards by which wheat growers in the United States can market wheat and other grain products that contain Karnal bunt.

2. That the United States Department of Agriculture sponsor an international meeting of scientists to evaluate the management of Karnal bunt and other fungi and to re-evaluate international policies on the use of quarantine that inhibit free trade.

3. That the Secretary of State of the State of Arizona transmit copies of this memorial to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Secretary of the United States Department of Agriculture and each Member of the Arizona Congressional Delegation.

POM-53. A joint resolution adopted by legislators of the State of Wyoming; to the Committee on Agriculture, Nutrition, and Forestry.

Whereas, the market concentration of the top three (3) beef packing processing companies has increased dramatically from just thirty-three percent (33%) of the market in 1978 to over eighty percent (80%) of the market in 1996, which has resulted in record low prices for Wyoming cattle producers while

consumer prices have steadily increased in relation to the quality of product available; and

Whereas, over time this situation has continued to intensify resulting in an alarming loss of input to the overall economy of Wyoming of over two million eight hundred thousand dollars (\$2,800,000.00) per day; and

Whereas, this trend towards concentration and vertical integration of the livestock industry threatens free enterprise and the independence of Wyoming's and the nation's livestock producers, as well as the economic vitality of the communities and states dependent upon the livestock industry; and

Whereas, federal antitrust law is founded on economic principles of preserving competitive markets and a social policy that small business should be preserved; and

Whereas, federal antitrust laws, if enforced, ensure that individual businesses do not dominate shares of individual markets to the point of harming the public, including consumers, producers and workers; and

Whereas, free competitive markets foster innovation and efficiency, promote free enterprise and public confidence, and are beneficial not only to the general population but to the security of the nation as well: Now, therefore be it *Resolved* that:

Section 1.

(a) That Congress direct the Federal Trade Commission, the Packers and Stockyards Administration of the United States Department of Agriculture (U.S.D.A.), the Commodity Futures Trading Commission and the United States Attorney General to enforce existing law to:

(i) Prohibit packing processing firms from owning or controlling their live animal inventory needs beyond seven (7) days prior to pickup or delivery; and

(ii) Require packing processing firms to report daily the quantity of animals purchased, the kind, quality and respective purchase prices; and

(iii) Require packing and processing firms to report weekly the quantity of all products sold as to kind, quality and respective price received for each market category, carcass, boxed, restaurant, export, byproduct, pharmaceuticals, etc.; and

(iv) Require meat wholesalers and distributors to report weekly the quantity of product sold, the kind, quality and respective price received for each market category, carcass, boxed, restaurant, export, tripe, byproduct, etc.; and

(v) Prohibit packing and processing firms from speculative "short" selling of commodity future contracts; and

(vi) Require packing processing firms to divest themselves of producing capacity exceeding twenty percent (20%) of total production share; and

(vii) Initiative monthly reporting by the U.S.D.A. of the retail value of all meat and meat products and market categories, grocery sales, governmental and institutional sales, catering and restaurant sales, export sales, etc.; and

(viii) Lift the federal ban on federal equivalent state inspected meats for interstate commerce; and

(ix) Require meat and meat products to have country of origin and processor identification labels; and

(x) Require permanent country of origin identification of imported livestock; and

(xi) Require all imported or domestic meat, poultry and seafood products subject to the same inspection, testing and labeling process and standards; and

(xii) Research for implementation of a value based pricing structure for the live cattle that reflects the premium obtained by the packer processors from the high quality meat products demanded by the consumer in today's market.

Section 2.

(a) That the legislature hereby formally requests Wyoming's Congressional Delegation to:

(i) Take whatever measures are needed to ensure implementation, enactment and enforcement of the items listed in section 1 of this act, and help to coordinate and facilitate the efforts among relevant federal agencies, including the U.S.D.A., the United States Department of Justice, the Federal Trade Commission and the Commodity Futures Trading Commission; and

(ii) Introduce and support federal legislation which would protect producers from retaliation by packing processing firms on account of any statement made by producers to USDA officials or to law enforcement agencies or in a public forum regarding practices or actions of the packing processing firms; and

(iii) Instigate full scale investigations at the federal level of activities and practices within the USDA and other responsible agencies concerning the gathering, reporting and interpreting of agricultural commodities supply data, and what effects these reports historically have had upon the cash and commodities futures markets.

Section 3. That the Secretary of State of Wyoming send copies of this resolution to the President of the United States, the President of the Senate and Speaker of the House of Representatives of the United States Congress, each member of the Wyoming Congressional Delegation, the Secretary of the United States Department of Agriculture and the Federal Trade Commission, the United States Department of Justice and the Commodity Futures Trading Commission.

POM-54. A joint resolution adopted by the Legislature of the State of California; to the Committee on Appropriations.

ASSEMBLY JOINT RESOLUTION NO. 1

Whereas, The unprecedented flooding across California has caused the loss of life, destruction of homes, and an unprecedented disruption in the web of neighbors, transportation, commerce, services, and communications that bind communities together; and

Whereas, Forty-eight counties in California have qualified for federal disaster relief because of damage caused by the recent flooding; and

Whereas, The State of California is entitled to \$100 million in federal emergency relief funds for transportation infrastructure repair for this disaster; and

Whereas, California state agencies have already identified well over \$300 million worth of flood-caused transportation damages that are eligible for state and federal funding for urgently needed repairs; and

Whereas, California has already requested the release of the \$100 million in federal transportation disaster relief funds of which only \$50 million have been received to date; and

Whereas, These moneys are urgently needed to rebuild the lands, lives, and livelihood of thousands of Californians; now therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That the Legislature of the State of California strongly urges the Federal Highway Administrator to immediately released all of the requested transportation funds for which California is eligible, so that the flood-ravaged people of California may more speedily recover from their plight; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, and to the Federal Highway Administrator.

POM-55. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Appropriations.

LEGISLATIVE RESOLVE NO. 71

Whereas the Alaska National Guard Youth Corps Challenge Program has provided nearly three hundred 16 to 18 year old graduates of the program with critically needed academic, vocational, and life skills education and training; and

Whereas the Challenge Program, through its military discipline and structure, has instilled in its graduates self-confidence, self-esteem, and good citizenship skills; and

Whereas the Challenge Program provides Alaska's at-risk youth with an opportunity to become successful, productive citizens of the state and the nation; and

Whereas the Challenge Program is an important crime and poverty prevention program worthy of continued support by the government of the United States; and

Whereas 85 percent of the graduates of the Challenge Program are either employed or in school; and

Whereas federal funding for the Challenge Program is scheduled to end in September 1997;

*Be it resolved*, That the Alaska State Legislature supports continued funding for the Alaska National Guard Youth Corps Challenge Program; and be it

*Further resolved*, That the Alaska State Legislature urges the United States Congress to continue funding for the Alaska National Guard Youth Corps Challenge Program and urges the President of the United States to support the funding.

POM-56. A concurrent resolution adopted by the Legislature of the State of Arizona; to the Committee on Appropriations.

HOUSE CONCURRENT MEMORIAL 2002

The state of Arizona and the state of Sonora should adopt resolutions encouraging their respective congresses to allocate more federal monies for:

1. Implementation of recommendations resulting from the Nogales unified port management and expedited processing at international crossings pilot projects.

2. Highway projects that enhance the linkage of the CANAMEX corridor.

3. Port facilities and supporting infrastructure projects that are necessary to improve traffic flow across the border between Arizona and Mexico.

4. Binational transportation planning activities; and

Whereas, four hundred twenty-four thousand eighty-three commercial vehicles crossed the border between Arizona and Mexico from January 1995 through December 1996 and commercial vehicle traffic is conservatively estimated to increase by ten per cent annually over the next few years with further implementation of the North America Free Trade Agreement; and

Whereas, the December 1993 Arizona border infrastructure needs assessment conducted by the Arizona department of transportation estimates that eight hundred fifty million dollars are needed to fund intermodal transportation projects over the next ten years to handle increased commercial traffic as a result of the North American Free Trade Agreement; and

Whereas, a 1996 port facilities needs assessment study conducted by the Arizona department of transportation identified three million five hundred thousand dollars in short-term and eighteen million dollars in long-term port facilities projects that are needed to keep pace with the increase in commercial and pedestrian traffic at ports of entry along the border between Arizona and Mexico; and

Whereas, during the winter season eighty per cent of the agricultural products coming into the United States are brought through Nogales, Arizona ports of entry; and

Whereas, in support of the federal unified port management pilot project, the Arizona legislature appropriated seven hundred fifty thousand dollars to fund a state unified port management project at the Nogales, Arizona port entry that is schedule for completion by July 1, 1997; and

Whereas, an expedited processing at international crossings pilot project is being implemented at the Nogales, Arizona port of entry to expedite commercial traffic utilizing state-of-the-art electronic technology and computer systems and is scheduled for completion by November 1997; and

Whereas, the three million dollars that the Arizona department of transportation receives each year in federal monies does not adequately cover the department's cost in conducting its required state transportation planning and research activities or the increased demand on the department to fund binational planning activities that are needed to develop a cohesive and coordinated transportation system between Arizona and the border states of Mexico.

Whereas, your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States in the next surface transportation act provides more money to states located in the high priority corridors that were identified in the National Highway System Designation Act of 1995.

2. That the Congress of the United States approves legislation that makes more federal monies available for port facility projects and supporting border transportation infrastructure projects.

3. That the Congress of the United States earmarks future federal monies to assist border states in implementing the findings and recommendation of the unified port management pilot projects now underway at the port of entry in Nogales, Arizona and the port of entry in Buffalo, New York.

4. That the Congress of the United States earmarks future federal monies to assist border states in implementing the findings and recommendations of the expedited processing at international crossings pilot project now underway at the port of entry in Nogales, Arizona.

5. That the Congress of the United States provides additional monies as part of a new federal highway reauthorization act to border states that are being required to participate in and fund more binational transportation planning activities.

6. That the Congress of the United States provided additional monies to increase the number of federal and state enforcement officers at ports of entry along the border between Arizona and Mexico in order to take advantage of recent and future port facility and transportation infrastructure improvements and the implementation of a new unified port management procedures.

7. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Speaker of the United States House of Representatives and to the President of the United States Senate.

POM-57. A joint resolution adopted by the Legislature of the State of Maine; to the Committee on Appropriations.

Whereas, Interstate 95 ends at Houlton, Maine, 99 miles from the end of U.S. Route 1 in Fort Kent, Maine, which parallels the international border in northern Maine between the United States and Canada; and

Whereas, the structural and functional condition of the U.S. Route 1 corridor from

Houlton to Fort Kent is such that substantial upgrades or reconstruction of the Route 1 corridor or alternative routes is necessary for the economic growth and vitality of northern Maine; and

Whereas, northern Maine is critical as an economic connector to Canada and the Atlantic Rim; and

Whereas, various alternative improvements for the U.S. Route 1 corridor have been studied and it has been concluded that these improvements would not only enhance mobility and accessibility, but would spur the economic development of northern Maine; and

Whereas, the improvements would provide the type of high quality north-south transportation envisioned by the "20-Year Statewide Transportation Plan" called for by the Intermodal Surface Transportation Efficiency Act of 1991; and

Whereas, federal, state, local and private support and innovative financing are critical to fund any of several proposed alternative improvements and financing of those improvements would range from \$290,000,000 to \$476,000,000, the least costly alternative being nearly 6 times the Maine Department of Transportation's biennial budget of Interstate and National Highway System funds; now, therefore, be it

*Resolved*, That We, your Memorialists, request the United States Congress and the President of the United States to provide essential financial assistance to address the need for substantial highway improvements in this economically depressed, yet strategically located, section of the United States; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States and each Member of the Maine Congressional Delegation.

POM-58. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania; to the Committee on Appropriations.

HOUSE RESOLUTION NO. 93

Whereas, macular degeneration is the most frequent cause of legal blindness in the United States; and

Whereas, over 13 million American citizens suffer from macular degeneration; and

Whereas, there are currently no identifiable causes for this disease; and

Whereas, macular degeneration develops gradually and painlessly, resulting from blood vessels leaking onto the macular region between the retina and its supporting layer of choroid tissue in the eye; and

Whereas, macular degeneration, unless detected early, produces considerable impairment of central vision; and

Whereas, the only treatment for macular degeneration is laser therapy to coagulate abnormal blood vessels to prevent or slow further loss of vision; and

Whereas, this treatment is useful during the early stages of the disease; therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to fund research studies which examine the causes of this devastating and debilitating disease; and be it further

*Resolved*, That the House of Representatives request Congress to fund research studies which examine possible cures of this disease; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each

house of Congress and to each member of Congress from Pennsylvania.

POM-59. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania; to the Committee on Appropriations.

HOUSE RESOLUTION NO. 137

Whereas, the Gettysburg National Military Park, located in Gettysburg, is the scene where an epic, three-day battle occurred during July 1863; and

Whereas, in the battle of Gettysburg approximately 51,000 men were killed, wounded or captured in order to secure the sanctity of the Union and freedom for all people; and

Whereas, the Gettysburg National Military Park is the largest and most visited of the nation's 24 Civil War parks; and

Whereas, there are 1,300 monuments and statues and 400 cannons scattered about the 5,900 acres of the Gettysburg National Military Park; and

Whereas, over 1.7 million people visit the Gettysburg National Military Park annually; and

Whereas, the Gettysburg National Military Park is deteriorating due to lack of funds, and the deterioration of the park is a national disgrace that wants, needs and demands congressional action; and

Whereas, funds are needed to preserve and protect the Gettysburg National Military Park; and

Whereas, the people of the United States of America must protect this important landmark of our Civil War heritage; therefore be it

*Resolved*, that the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to provide an appropriation to preserve and protect the Gettysburg National Military Park; and be it further

*Resolved*, that the Chief Clerk of the House of Representatives transmit a copy of this resolution to each member of Congress.

POM-60. A joint resolution adopted by legislators of the State of Wyoming; to the Committee on Appropriations.

Whereas, the people of Wyoming have benefited from the development of stronger and more accessible arts activity in every county of the state because of the assistance provided by the Wyoming Arts Council with support from the National Endowment for the Arts; and

Whereas, Arts Endowment funding of \$422,800 in FY 96 combined with \$331,000 provided by the State help generate \$12.3 million in cash from local Wyoming communities; and

Whereas, the annual audience for arts activities in Wyoming exceeds 2,900,000 citizens and tourists; and

Whereas, lifelong education in the arts is a primary goal for the Arts Endowment and the Wyoming Arts Council and helps our children develop higher-order thinking, creativity, and problem solving skills that carry over into all areas of study and are crucial for an educated populace; and

Whereas, funding by the National Endowment for the Arts through the Wyoming Arts Council helps our state's artists and arts institutions gain regional and national recognition, contributing to Wyoming's growing recognition as a state that takes its arts seriously; and

Whereas, National Endowment for the Arts funding in Wyoming and throughout the United States has enabled arts organizations to win matching support from private sources; and

Whereas, all great nations support the arts knowing that the arts are vital to a society's

well-being and linchpin for the creative thinking needed for the work force of the next millennium.

Now, therefore, be it resolved by the undersigned legislators of the State of Wyoming that:

The Congress of the United States of America is hereby encouraged to endorse the President's request for \$136 million in funding for the National Endowment for the Arts.

*It is further resolved*, That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation.

POM-61. A resolution adopted by the Legislature of the State of Washington; to the Committee on Armed Services.

SENATE JOINT MEMORIAL 8008

Whereas, the Battleship U.S.S. Missouri (BB 63) is the solitary identifiable symbol of the end of World War II for both the servicemen and women who served overseas during that period and the millions of home front defense workers; and

Whereas, this intrinsic historical vessel is presently moored on the mainland of the contiguous states of the union where the majority of veterans and home front defense workers and their descendants reside and are economically able to visit and observe the significance of the U.S.S. Missouri's involvement in ending the most important event of the 20th century; and

Whereas, the youth of the United States of America, the future leaders of this republic, will learn from and appreciate the sacrifices for freedom which the U.S.S. Missouri represents; and

Whereas, the Missouri on the Mainland Committee (MOM) has been duly organized and proposes that the Battleship U.S.S. Missouri (BB 63) be moored at a suitable location on the mainland to provide accessibility for the majority of the American public to savor a taste of freedom and their heritage; and

Whereas, the Washington State legislature supports the actions and the proposal of the Missouri on the Mainland Committee (MOM);

Now, therefore, your Memorialists respectfully pray that the Congress of the United States of America enact appropriate legislation to retain the Battleship U.S.S. Missouri (BB 63) at a selected site on the mainland.

*Be it resolved*, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-62. A resolution adopted by the Board of Commissioners of the Metropolitan Knoxville (Tennessee) Airport Authority relative to the formation of the Safe Skies Alliance; to the Committee on Commerce, Science, and Transportation.

POM-63. A resolution adopted by the Board of Mayor and Alderman of the City of Kingsport, Tennessee relative to the Telecommunications Act of 1996; to the Committee on Commerce, Science, and Transportation.

POM-64. A joint resolution adopted by the Legislature of the State of California; to the Committee on Commerce, Science, and Transportation.

SENATE JOINT RESOLUTION NO. 12

Whereas, the Federal Aviation Administration is scheduled to close the flight-service station at the Arcata-Eureka Airport in McKinleyville, Humboldt County; and

Whereas, all onsite personnel will be eliminated and the airport will be operated as an automatic flight-service center, served by an air traffic controller located in Oakland, California; and

Whereas, the FAA plan eliminates all air traffic personnel between McMinville, Oregon, and Oakland, California, and this same geographic discrepancy on the east coast of the United States would be similar to eliminating all air traffic controllers between Portland, Maine and Richmond, Virginia; and

Whereas, the Arcata-Eureka Airport flight-service center has provided daily services for commercial, corporate, and general aviation traffic for over four decades; and

Whereas, it serves the region's smaller airports, which include Brookings, Oregon, and Crescent City, Fortuna, Shelter Cove, Willow Creek, and Hoopa, California, and averages 150 to 300 contacts and a traffic flow of 40 to 100 airplanes daily; and

Whereas, there are unique weather and geographic factors to be considered such as that the airport was constructed overlooking the Pacific Ocean by the Navy during World War II to test military defogging equipment, as it is believed to be the foggiest stretch of coastline in the western United States; and

Whereas, on average, Instrument Flight Rules (IFR) must be filed 265 days per year due to fog and inclement weather, and station personnel must utilize a wide array of tools to ensure air traffic safety, including radio frequencies, the telephone, a direction finder, and on-the-ground view of the runway; and

Whereas, the closure of the station would put the safety of air travelers on the north coast of California at risk, air traffic will experience greater delays and flight cancellations, and local efforts to improve the regional economy through tourism and commerce will be adversely affected; Now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly*, That the California Legislature memorializes Congress to oppose the closure of the air flight-service center at the Arcata-Eureka Airport, in Humboldt County, California, and to direct the Federal Aviation Administration to act accordingly; And be it further

*Resolved*, that the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Administrator of the Federal Aviation Administration.

POM-65. A resolution adopted by the General Assembly of the State of New Jersey; to the Committee on Commerce, Science, and Transportation.

ASSEMBLY RESOLUTION NO. 9

Whereas; recent tragic events have reemphasized the importance of keeping our nation's airports secure, and the Assembly Transportation and Communications Committee held a public hearing on airport security matters which highlighted several areas where action should be taken to improve airport security; and

Whereas; although the Federal Aviation Administration (FAA) is responsible for overseeing all security-related matters at this country's airports, responsibility for implementing airport security is fragmented among airline carriers, airport owners and operators and local police leading to a lack of uniform security procedures; and

Whereas; airline carriers are responsible for developing and implementing security procedures and protocols such as passenger

and baggage screening, employment standards for screening personnel, controlling access to airplanes, ensuring integrity of cargo and baggage, and performing security inspections of aircraft; and

Whereas; the FAA should require criminal background checks and fingerprint records for all airport and airline employees who have access to secure areas and Congress should enact legislation to provide airports and airlines with the necessary authority to conduct such background checks where airports and airlines do not currently have the authority to do so; and

Whereas; since airport employees are critical to the effort of ensuring safer air travel, there should be uniform training requirements for all baggage handlers and security officers employed at airports, regardless of who employs them; and

Whereas; aggressive, proactive testing of existing security systems and proactive security measures must be implemented at all airports to guard against lapses and complacency that could lead to tragedy; and

Whereas; although the Gore Commission has recommended expanded use of bomb-sniffing dogs and the federal government has made some funds available for that purpose, that funding is so inadequate that it will provide only four bomb-sniffing dogs for the three major airports operated by the Port Authority of New York and New Jersey and funding for this program must be increased; and

Whereas, the FAA is developing other security measures such as better screening of cargo and mail and blast-resistant containers for cargo, which measures must be implemented as soon as possible; and

Whereas, it is altogether fitting and proper and in the public interest for this House to call upon Congress and the FAA to take immediate action to improve airport security; now, therefore,

*Be it resolved* by the General Assembly of the State of New Jersey:

1. The United States Congress and the Federal Aviation Administration are urged to take immediate action to increase airport security, including: placing responsibility for development and implementation of airport security under one agency to provide for a uniform system of airport security; requiring criminal background checks and fingerprint records for all airport and airline employees who have access to secure areas; implementing uniform training requirements for all baggage handlers and security officers employed at airports, regardless of who employs them; implementing aggressive, proactive testing of existing security systems and proactive security measures; increased funding for the bomb-sniffing dog program; and speeding development and implementation of other security measures such as better screening of cargo and mail and blast-resistant containers for cargo.

2. duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested to by the Clerk thereof, shall be transmitted to the presiding officers of the United States Senate and House of Representatives, each member of Congress elected thereto from New Jersey and the Administrator of the Federal Aviation Administration.

POM-66. A resolution adopted by the Loudon County (Tennessee) Visitors Bureau relative to the Chickamauga Lock; to the Committee on Energy and Natural Resources.

POM-67. A resolution adopted by the Legislature of the Commonwealth of the Northern Marianas relative to Guam; to the Committee on Energy and Natural Resources.

POM-68. A resolution adopted by the Board of County Commissioners, Park County,

Wyoming relative to the Bureau of Land Management; to the Committee on Energy and Natural Resources.

POM-69. A resolution adopted by the Board of Campbell County Commissioners, Campbell County, Wyoming relative to the Bureau of Land Management; to the Committee on Energy and Natural Resources.

POM-70. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Energy and Natural Resources.

#### RESOLUTION NO. 3

Whereas, in sec. 1002 of the Alaska National Interest Lands Conservation Act (ANILCA), the United States Congress reserved the right to permit further oil and gas exploration, development, and production within the coastal plain of the Arctic National Wildlife Refuge, Alaska; and

Whereas the oil industry, the state, and the United States Department of the Interior consider the coastal plain to have the highest potential for discovery of very large oil and gas accumulations on the continent of North America, estimated to be as much as 10,000,000,000 barrels of recoverable oil; and

Whereas the residents of the North Slope Borough, within which the coastal plain is located, are supportive of development in the "1002 study area"; and

Whereas oil and gas exploration and development of the coastal plain of the refuge and adjacent land could result in major discoveries that would reduce our nation's future need for imported oil, help balance the nation's trade deficit, and significantly increase the nation's security; and

Whereas the state will ensure the continued health and productivity of the Porcupine Caribou herd and the protection of land, water, and wildlife resources during the exploration and development of the coastal plain of the Arctic National Wildlife Refuge; be it

*Resolved by the Alaska State Legislature,* That the Congress of the United States is urged to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge, Alaska, to oil and gas exploration, development, and production; and be it further

*Resolved* That that activity be conducted in a manner that protects the environment and uses the state's work force to the maximum extent possible.

POM-71. A concurrent resolution adopted by the Legislature of the State of Arizona; to the Committee on Energy and Natural Resources.

#### SENATE CONCURRENT MEMORIAL 1001

Whereas, the Antiquities Act of 1906 (16 United States Code sections 431, 432 and 433) grants authority to the President of the United States to establish national monuments; and

Whereas, the Antiquities Act was intended to preserve only historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest; and

Whereas, the Antiquities Act has been misused repeatedly to set aside enormous parcels of real property; and

Whereas, the establishment in 1996 of the Grand Staircase-Escalante National Monument in southern Utah set aside 1.7 million acres of land despite the objections of public officials in the State of Utah, making it the largest national monument in the continental United States; and

Whereas, this designation clearly violates the spirit and letter of the Antiquities Act, which requires monument lands to "be confined to the smallest area" necessary to preserve and protect historical areas or objects; and

Whereas, the creation of the Grand Staircase-Escalante National Monument has re-

sulted in the loss of significant economic resources for the public schools and the taxpayers of the State of Utah; and

Whereas, the power to establish national monuments can be checked only in limited circumstances; and

Whereas, in 1950, the State of Wyoming obtained statutory relief from the further establishment of national monuments without the express authorization of Congress (16 United States Code section 431a).

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the 105th Congress of the United States enacts legislation prohibiting the President of the United States from further extending or establishing national monuments without the express authorization of Congress.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, to each Member of the Senate of the United States and to each presiding officer of both houses of the legislature of each state in the union.

POM-72. A concurrent resolution adopted by the Legislature of the State of Arizona; to the Committee on Energy and Natural Resources.

#### HOUSE CONCURRENT MEMORIAL 2003

Whereas, the bureau of land management (BLM) has the authority to impose appropriate criminal penalties for activities occurring on BLM land; and

Whereas, BLM has proposed rules set forth in the Federal Register dated November 7, 1996 at pages 57615 through 57621 to expand its authority; and

Whereas, the proposed BLM rules would increase the amount of fines for certain criminal acts that occur on federal lands from one thousand dollars to five hundred thousand dollars; and

Whereas, pursuant to the same proposed rules BLM seeks to increase the prison sentence for persons who commit certain criminal acts from one year to five years; and

Whereas, under the proposed rules BLM would expand its authority beyond activities occurring on federal land to activities having a potential danger to affect water bodies on or adjacent to BLM lands. Thus, BLM would have law enforcement authority for activities on private lands adjacent to and upstream from BLM lands; and

Whereas, the proposed rules would give BLM authority to preempt state laws over motor vehicles on BLM lands when the state laws are less restrictive than the proposed rules or when a state does not have laws covering the areas included in the BLM proposed rules; and

Whereas, the rules would prohibit the diversion, transport or removal of any water resources that are owned or reserved by the United States and administered by BLM unless BLM gave prior authorization. This would prohibit states that own water that is reserved to the federal government and administered by BLM from constructing dams, transporting water or removing water resources.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That Congress and the President of the United States prevent BLM from adopting the proposed rules.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Arizona Congressional Delegation.

POM-73. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Energy and Natural Resources.

HOUSE JOINT MEMORIAL 4005

Whereas, The area south of the Saddle Mountains in Grant, Franklin, and Adams counties, Washington, known as the Wahluke Slope, is one of the most productive agricultural areas in the Pacific Northwest; and

Whereas, the need for a large security and control zone around the Department of Energy's Hanford control zone on Wahluke Slope caused the forced relocation of citizens of Hanford, White Bluff, Wahluke, and the surrounding agricultural lands that had been settled prior to 1900; and

Whereas, Due to the decommissioning of all the production reactors along the Hanford Reach opposite the Wahluke Slope, and with the overall change of the Department of Energy's Hanford mission from plutonium production to environmental restoration, the need for a large security and control zone no longer exists; and

Whereas, The Wahluke Slope's topography and its proximity to the Columbia River make the area unique in terms of the economic feasibility or irrigation development; and

Whereas, Prior to its inclusion in the Hanford control zone, the Bureau of Reclamation purchased over twenty-seven thousand acres of the Wahluke Slope with the intent of future development in the Columbia Basin Project; and

Whereas, The balanced development of this land would achieve the long-awaited completion of irrigation on the Wahluke Slope and improved wildlife and recreational opportunities; and

Whereas, Based on current land prices, the sale of land to private owners could potentially cover a great deal of the cost of constructing water delivery systems, due to the suitability of topography and nearby water supply; and

Whereas, Resulting property tax and income tax revenues from this new farm land would be an immediate and significant benefit; and

Whereas, Farmland development would result in millions of dollars in capital investment for farm equipment of all kinds, the great majority of its manufactured in the United States by American workers; and

Whereas, The vast majority of crops presently raised on the Wahluke Slope have potential for export to the Pacific Rim and other nations; and

Whereas, Other than small grains, the crops grown on the Wahluke Slope are completely driven by the free-market economy and are not subsidized or supported by the federal government; and

Whereas, Broad support exists for the preservation of the natural beauty and topography of the Hanford Reach, including protecting the White Bluffs from sloughing into the Columbia River, prohibiting dredging and damming, and providing for a one-quarter mile buffer zone on both sides of the river including even wider zones depending on the terrain; and

Whereas, The Wahluke Slope contains significant areas of land not suitable for farming, but that are ideally suited for wildlife habitat and recreational uses; and

Whereas, The United States can no longer afford to hold idle public lands of this potential;

Now, Therefore, Your Memorialists respectfully pray that, except for needed buffer zones, the present boundaries of the Department of Energy's Hanford control zone on the Wahluke Slope be reduced to the area

south of the Columbia River and that the Wahluke Slope presently under the custody and control of the Department of Energy be transferred in total to the counties of Grant, Franklin, and Adams for the purpose of returning the land to its former agricultural use, as well as for wildlife and recreational areas along the Hanford Reach.

*Be it resolved*, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the Director of the Department of Energy, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-74. A resolution adopted by the Senate of the General Assembly of the State of Connecticut; to the Committee on Energy and Natural Resources.

Whereas, the Nuclear Waste Policy Act established a federal program within the United States Department of Energy for managing and disposing of spent nuclear fuel; and

Whereas, the Department has agreed to begin accepting spent fuel by January 31, 1998; and

Whereas, the Department has not made significant progress in meeting its obligation to take title to and remove spent fuel; and

Whereas, the Department has now stated that it will not have a permanent repository in operation earlier than 2010 and has no obligation to begin accepting spent nuclear fuel in 1998; and

Whereas, nuclear power generating facilities are facing a serious depletion of spent fuel storage space; and

Whereas, Connecticut must address the prospect of storing spent fuel from decommissioned nuclear power generating facilities; and

Whereas, the Act requires customers who benefit from electricity generated by nuclear power generating facilities to pay a fee of one-tenth of a cent per kilowatt hour of electricity, said fee to fund the Program in its entirety; and

Whereas, this fee generates approximately \$600 million annually, and since its inception, Connecticut consumers have paid nearly \$200 million into the Fund; and

Whereas, moneys received by the Fund have been relied upon to offset shortfalls in the federal budget.

*Now, therefore, be it resolved*, That the Senate calls upon the United States Congress to address the programmatic and budgetary shortfalls that have plagued the Nuclear Waste Program and to address, through legislation, the Department's responsibility to accept and remove spent fuel from reactor sites, the establishment of an interim spent fuel storage site, the siting and licensing process for a permanent repository and usage of the unobligated balance of the Fund available for nuclear waste program activities; and

*Be it further resolved*, That the clerk of the Senate cause a copy of this resolution to be sent to the presiding officer of each house of Congress and to each member of the Connecticut congressional delegation.

POM-75. A resolution adopted by the Hudson County (New Jersey) Board of Chosen Freeholders relative to the Intermodal Surface Transportation Efficiency Act of 1991; to the Committee on Environment and Public Works.

POM-76. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Energy and Natural Resources.

ASSEMBLY JOINT RESOLUTION NO. 2

Whereas, approximately 87 percent of the land in Nevada is owned by the Federal Government; and

Whereas, Nevada has experienced a dramatic increase in its population during the last two decades; and

Whereas, the rate of increase in the population of Nevada is one of the highest in the nation; and

Whereas, as of the last census, Nevada has approximately 95,000 families of low income who are in need of affordable housing; and

Whereas, the shortage of affordable housing has forced some families of low income with children to occupy motels that have few or no facilities for the preparation and storage of food and that serve as an inadequate substitution for providing housing for children; and

Whereas, several thousand senior citizens in Nevada are also unable to find affordable housing that is safe and sanitary; and

Whereas, the current shortage of affordable housing in Nevada is directly related to the high cost of available land in the state; and

Whereas, Congress controls a considerable amount of Federal land in Nevada that may be used to provide affordable housing for persons of low income; and

Whereas, during the 104th session of Congress, United States Senator Richard Bryan proposed an amendment to the Recreation and Public Purposes Act (43 U.S.C. §§ 869 et seq.) which, if it had been enacted, would have included affordable housing as a public purpose for which public lands may be disposed of in any manner to governmental bodies and to nonprofit corporations; and

Whereas, during the 104th session of Congress, Representative John Ensign joined Senator Bryan in introducing the Southern Nevada Public Land Management Act of 1996, which, if it had been enacted, might have provided additional opportunities for the acquisition of land in the Las Vegas Valley to be used to provide additional sites for affordable housing; now, therefore, be it

*Resolved by the Assembly and Senate of the State of Nevada, Jointly*, That the Nevada Legislature supports the efforts of Senator Bryan and Representative Ensign in this regard and urges the Nevada Congressional Delegation to continue to bring this issue before Congress; and be it further

*Resolved*, That the Congress of the United States is hereby urged to adopt an amendment to the Recreation and Public Purposes Act which would include affordable housing as a public purpose for which public lands may be disposed of in any manner to governmental bodies and to nonprofit corporations; and be it further

*Resolved*, That if Congress does not adopt such an amendment to the Recreation and Public Purposes Act, that Congress is hereby urged to enact legislation that would allow the sale of public lands to local governments and to nonprofit corporations at a price that is less than the fair market value of the land so that affordable housing projects may be developed; and be it further.

*Resolved*, That the chief clerk of the assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*Resolved*, That this resolution becomes effective upon passage and approval.

POM-77. A joint resolution adopted by the Legislature of the State of New Mexico; to the Committee on Energy and Natural Resources.

SENATE JOINT MEMORIAL 26

Whereas, New Mexico has a unique History in the acquisition of Land Ownership due to the substantial number of Spanish and Mexican Land Grants that were an integral part

of the Colonization and growth of this Area of the Country; and

Whereas, various provisions of the Treaties signed under prior Sovereigns have not yet been fully implemented in the Spirit of Article VI of the Constitution of the United States; and

Whereas, Congress did establish an Indian Claims Commission, which successfully adjudicated hundreds of disputed Land Possessions quietly; and

Whereas, there still exist serious questions about prior Ownership, particularly about certain Public Lands; and

Whereas, Congressman Bill Richardson introduced House Resolution 260 in January 1997 to create a Presidential Commission to determine the validity of certain Land Claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving Persons who were Mexican Citizens at the time of the Treaty;

Now, Therefore, Be It Resolved by the Legislature of the State of New Mexico that the Congress of the United States be respectfully requested and urged to support this important piece of legislation to adjudicate and make conclusive determinations, including possible restitution of Public Lands, on unresolved provisions of the various Treaties affected by the Treaty of Guadalupe-Hidalgo; and

Be It Further Resolved that copies of this Memorial be sent to the New Mexico Congressional Delegation and to the Presiding Officers of each House of Congress.

POM-78. A joint resolution adopted by legislators of the State of Wyoming; to the Committee on Energy and Natural Resources.

#### A JOINT RESOLUTION

Whereas, the prevailing land status pattern in Wyoming and the west has complicated rather than encouraged good land management, land ownership being divided among private parties and government entities, each with often mutually exclusive management philosophies and objectives, in a checkerboard and scattered parcel configuration; and

Whereas, this situation has resulted in private landowners having difficulty in achieving profitability and manageability goals and public entities have likewise experienced frustration in achieving improvements to land access and habitats for wildlife; and

Whereas, this land status pattern causes confrontation among private landowners, public resource managers and users, confounds good faith attempts at proper resource management and, in the extreme, risks distress sale of lands thus threatening the rural agricultural character of Wyoming; and

Whereas, Congress, with passage of the Federal Land Exchange Facilitation Act (FLEFA), has presented an opportunity to resolve this situation through the exchange of lands of equal value between private interests and the federal government, consolidating lands in logical and manageable parcels under one (1) ownership; and

Whereas, land exchanges conducted under FLEFA can be concluded in a fraction of the time necessary otherwise with a minimum of administrative and bureaucratic delay; and

Whereas, the Bureau of Land Management in Wyoming has a demonstrated commitment to FLEFA exchanges and has identified candidate acreage for exchange with private landowners; and

Whereas, resolving difficult natural resource management conflict through exchanges under FLEFA is clearly in the best interest of the people of the state of Wyoming.

Now, Therefore, Be it resolved by the undersigned Legislators of the State of Wyoming That:

Section 1. That the legislature endorses the land exchange process authorized under FLEFA.

Section 2. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the United States Secretary of the Interior and to the Wyoming Congressional Delegation.

POM-A joint resolution adopted by legislators of the State of Wyoming; to the Committee on Energy and Natural Resources.

#### A JOINT RESOLUTION

##### FIFTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING

Whereas, on November 7, 1996, the proposed rule on Bureau of Land Management (BLM) criminal law enforcement was published in the Federal Register pages 57615-57621; and

Whereas, the BLM intends to apply this new rule on the public domain within the several western states including Wyoming; and

Whereas, the attempted enforcement of this rule on any public land that lies within Wyoming would violate;

(a) The equal protection afforded Wyoming citizens under the 14th amendment of the United States Constitution;

(b) The procedure for acquiring criminal enforcement jurisdiction outlined in article I, section 8, clause 17 of the United States Constitution as it applies to an established state;

(c) The separation of powers between the judicial, executive and legislative branches of the United States Government;

(d) Federalism as established between the several states and the federal government;

(e) The authority granted to the BLM under applicable enabling statutes; and

(f) A host of other statutory and constitutional protections to be further listed both at national and state levels.

Whereas, the BLM is required, as are all federal agencies, to properly utilize federal acts and executive orders in preparing any proposed rules; and

Whereas, the BLM has not evaluated the existing regulations for possible deletion should they historically have proven to be unwarranted; and

Whereas, the following acts and executive orders, listed in section IV, procedural matters, page 57607, all require federal agencies to evaluate regulations for removing rules as well as consolidating rules:

(a) The National Environmental Policy Act (NEPA);

(b) Regulatory Flexibility Act;

(c) Executive Order 12612 (Federalism);

(d) Executive Order 12866 (Regulatory Planning and Review).

Now, Therefore, Be It Resolved by the Undersigned Legislators of the State of Wyoming That:

Section 1.

(a) The citizens of Wyoming shall not be subjected to this proposed or final rule which dramatically expands the scope of federal enforcement authority.

(b) The state of Wyoming shall take every measure possible to ensure that this proposal, which is a transparent effort to eliminate multiple uses of public land, be thwarted at its inception.

(c) No federal agent shall enforce this proposed rule outside of lawful geographic areas.

(d) The state attorney general shall consult with one (1) or more attorneys with ex-

pertise in constitutional law and determine the legality of the proposed rule not later than ten (10) days after this resolution is approved.

Section 2. The legislature hereby formally requests Wyoming Congressional Delegation to hold a hearing on the BLM's proposed rule on Criminal Law Enforcement as published in the November 7, 1996, Federal Register, pages 57615-57621.

Section 3. That the Secretary of State shall forward copies of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, each member of the Wyoming Congressional Delegation, the Secretary of Interior, Director of Bureau of Land Management and the State Director of Bureau of Land Management.

POM-80. A resolution adopted by the Board of Mayor and Alderman of the City of Kingsport, Tennessee relative to the Intermodal Surface Transportation Efficiency Act; to the Committee on Environment and Public Works.

POM-81. A resolution adopted by the Board of Mayor and Alderman of the City of Kingsport, Tennessee relative to air quality standards; to the Committee on Environment and Public Works.

POM-82. A resolution adopted by the Board of County Commissioners of Broward County, Florida relative to shore protection projects; to the Committee on Environment and Public Works.

POM-83. A resolution adopted by the Board of Commissioners of the Borough of Avon-By-The-Sea, New Jersey relative to the Mud Dump Site; to the Committee on Environment and Public Works.

POM-84. A resolution adopted by the House of the Legislature of the State of Michigan; to the Committee on Environment and Public Works.

#### HOUSE RESOLUTION No. 17

Whereas, one of the most vexing environmental problems is the disposal of solid waste. Enormous energy and expense are directed to finding means to reduce the volume of solid waste, to utilize limited landfill space safely and efficiently, and to incorporate other means of disposing of waste without endangering air, soil, or water. In spite of great progress, there remain serious long-term unresolved issues involving solid waste; and

Whereas, since there are limited disposal options, there is considerably demand for landfill space and other disposal facilities. In response to this situation, solid waste is often transported across local, state, and even international boundaries for storage or disposal away from where the solid waste is generated. Communities in Michigan are dealing with this reality today; and

Whereas, the potential problems of imported solid waste are many. Even areas with ample storage capacity or facilities now will face shortages in the future, leaving a local problem of how to handle solid waste. Eventual problems with a landfill site or other facility will not be handled by an out-of-state or out-of-country party. The burdens will be borne by those in the area importing solid wastes. Given the nature of our delicate environment, especially in Michigan, the ultimate risks are not restricted to the specific local unit of government; and

Whereas, since states will bear the responsibility and face the consequences when and if solid waste landfills or other facilities encounter problems, it is essential that states be empowered to regulate this activity. Measures in Congress have proposed extending authority to the states to deal with this issue, an approach that is long overdue; now, therefore, be it

*Resolved by the House of Representatives,* That we memorialize the Congress of the United States to enact legislation to authorize states to regulate the flow of solid waste from other states or another country; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives, and the members of the Michigan congressional delegation.

POM-85. A resolution adopted by the General Assembly of the State of New Jersey; to the Committee on Environment and Public Works.

Whereas, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), signed into law by the President in December 1991, is a six year program authorized to provide a total of \$155 billion for highway and mass transportation purposes; and

Whereas, ISTEA has provided significant, annual federal funds to New Jersey and all other states to help develop a strong, globally-competitive economy and to improve the mobility, safety and well-being of our nation's residents; and

Whereas, our state, regional and national transportation systems still face growing travel demand, inadequate capacity, "bottle-necks," and awkward connections between different forms of transportation; and

Whereas, the need to continue and accelerate improvements to our transportation systems is absolutely vital for economic growth, to address safety and environmental concerns, and to reduce the costs and disruptions that an inefficient transportation system imposes on our residents; and

Whereas, a federal role of providing leadership and long-term funding remains essential if a smooth, seamless highway and mass transportation system is to be achieved and then maintained; and

Whereas, a direct federal role is also especially important to the viability of AMTRAK, and an annual, financial commitment acknowledging such federal role must be emphasized by the President and Congress if our national railroad is to reach the status, importance, and efficiency of national railroads in other competitive, economically developed countries; now, therefore,

*Be it resolved by the General Assembly of the State of New Jersey:*

1. The President and the Congress of the United States are urged to reauthorize [ISTEA] the federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), prior to its expiration in October 1997, for a period of time and a level of funding that are no less than current ISTEA authorization levels and providing that New Jersey's share of that funding is no less than its current ISTEA share. Timely reauthorization of ISTEA is paramount if states are to continue, without interruption, their efforts to improve and enhance the effectiveness of our nation's state, regional, and national transportation systems. Additionally, the federal government must continue to acknowledge its role relative to AMTRAK and provide the financial assistance needed by AMTRAK to ensure the long-term viability of our national railroad passenger corporation.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested to by the Clerk thereof, shall be transmitted to the President and the Vice President of the United States, members of Congress, and the President of AMTRAK.

POM-86. A joint resolution adopted by the Legislature of the State of Montana; to the Committee on Environment and Public Works.

#### JOINT RESOLUTION

Whereas, Montana's economy and the quality of life of its citizens benefit greatly from federal transportation and highway infrastructure investments; and

Whereas, the nation's highways are a linked, interconnected system, with the nation as a whole benefiting from federal highway infrastructure investments in rural western states, such as Montana, where our Interstate and National Highway Systems provide a bridge for the safe and efficient movement of people and goods across this vast region; and

Whereas, the benefits to the nation and the states from the Federal-Aid Highway Program investments include:

(1) Improved mobility to support our economy and our competitive international position;

(2) access to the nation's agricultural production, its manufactured goods, and its national parks and monuments;

(3) access and mobility for our national and civil defense forces; and

(4) social progress and quality of life for our citizens; and

Whereas, federal highway investments are supported entirely by the fees assessed every day on the users of the nation's highways; and

Whereas, the Federal Highway Trust Fund could substantially increase investments in highway infrastructure without any increase in fees to the users of the highway system; and

Whereas, to continue the benefits of transportation and highway infrastructure investments, the Federal Surface Transportation Program must be reauthorized by the United States Congress before the program expires on October 1, 1997; Now, therefore,

*Be it resolved by the Senate and the House of Representatives of the State of Montana:*

That the United States Congress is urged to act promptly to reauthorize the Federal Surface Transportation Program and that this reauthorization should include:

(1) full investment of all Federal Highway Trust Fund balances, interest, and revenue in much-needed transportation and highway infrastructure;

(2) a high level of support for the nation's most important highways, our Interstate System and National Highway System routes;

(3) fair treatment of western, rural states in the distribution of Federal-Aid Highway Program funds between states, including recognition that the western states have vast highway systems that benefit the entire nation and few people to support them;

(4) regulatory reduction and program streamlining to improve the timeliness and cost-effectiveness of highway project delivery; and

(5) respect for the uniqueness of each state's approach to managing its transportation system. Solutions in small, densely populated eastern states may not make sense in the west. One size does not fit all, so the federal government should refrain from mandating solutions.

*Be it further resolved,* That the Secretary of State send a copy of this resolution to the Director of the Montana Department of Transportation, the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Montana Congressional Delegation.

POM-87. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania; to the Committee on Environment and Public Works.

Whereas, The United States Supreme Court has issued a series of decisions holding

that the Commerce Clause of the Constitution of the United States prohibits states from restricting the importation of solid waste from other states; and

Whereas, Over the past several years, owners and operators of solid waste landfills located in this Commonwealth have increased significantly the amount of solid waste that they accept from other states; and

Whereas, According to statistics compiled by the Department of Environmental Protection, the percentage of solid waste disposed of in this Commonwealth that is imported from other states has increased in each of the past six years; and

Whereas, According to statistics compiled by the Department of Environmental Protection, in 1996 imported waste made up 43% of the solid waste disposed of in landfills located in this Commonwealth; and

Whereas, New York State and New York City have announced plans to close by the year 2001 the Fresh Kills landfill located on Staten Island, which currently accepts 13,000 tons of waste per day from New York City and the city's sanitation director stated that the city would consider sending its waste to landfills in Pennsylvania, among other places; and

Whereas, Governor Tom Ridge has notified the Governor of New York that the recently released report on how New York State and New York City will handle the closure of Fresh Kills did not adequately address limiting the exportation of the waste from Fresh Kills or steps New York State will take to plan for the construction of disposal facilities; and

Whereas, The present and projected future levels of solid waste that owners and operators of landfills and incinerators located in this Commonwealth import from other states pose environmental, aesthetic and traffic problems and is unfair to citizens of this Commonwealth, particularly citizens living in areas where landfills and incinerators are located; and

Whereas, In 1988 the Commonwealth adopted a law designed to reduce the need for additional landfills and incinerators by requiring and encouraging recycling of certain materials; and

Whereas, It is within the power of Congress to delegate authority to the states to restrict the amount of solid waste they import from other states; and

Whereas, Legislation has been introduced in both Houses of Congress that would give states authority to impose reasonable restrictions on the amount of solid waste imported from other states; and

Whereas, Passage of such legislation by Congress may hinge upon the success of negotiations between certain states that import and export trash; and

Whereas, Governor Ridge and the governors of four other states wrote to the Honorable George Pataki, Governor of New York, expressing their desire to reach an accord on authorizing states to place reasonable limits on the importation of solid waste; and

Whereas, The failure of Congress to act will harm this Commonwealth by allowing the continued unrestricted flow of solid waste generated in other states to landfills and incinerators located in this Commonwealth; Therefore be it

*Resolved,* That the House of Representatives memorialize the Clinton Administration and Congress to support legislation authorizing states to restrict the amount of solid waste they import from other states; and be it further

*Resolved,* That the House of Representatives memorialize the Governor of New York to support the legislation giving states the authority to place reasonable restrictions

upon the amount of solid waste imported from other states; and be it further

*Resolved*, That copies of this resolution be transmitted to the Honorable William Clinton, President of the United States, the Honorable George Pataki, Governor of New York, the presiding officer of each House of Congress and to each member of Congress from Pennsylvania.

POM-88. A resolution adopted by the Senate of the Legislature of the Commonwealth of Pennsylvania; to the Committee on Environment and Public Works.

#### RESOLUTION

Whereas, the United States Supreme Court has issued a series of decisions holding that the Commerce Clause of the Constitution of the United States prohibits states from restricting the importation of solid waste from other states; and

Whereas, over the past several years owners and operators of solid waste landfills located in this Commonwealth have increased significantly the amount of solid waste that they accept from other states; and

Whereas, according to statistics compiled by the Department of Environmental Protection, the percentage of solid waste deposited in this Commonwealth that is imported from other states has increased in each of the past six years; and

Whereas, according to statistics compiled by the Department of Environmental Protection of this Commonwealth, in 1996 imported waste made up 43% of the solid waste deposited in landfills located in this Commonwealth; and

Whereas, New York State and New York City have announced plans to close by the year 2001 the Fresh Kills landfill located on Staten Island, which currently accepts 13,000 tons of waste per day from New York City, and the city's sanitation director stated that the city would consider sending its waste to landfills in Pennsylvania, among other places; and

Whereas, Governor Tom Ridge has notified the Governor of New York that the recently released report on how New York State and New York City will handle the closure of Fresh Kills did not adequately address limiting the exportation of the waste from Fresh Kills or steps New York State will take to plan for the construction of disposal facilities; and

Whereas, the present and projected future levels of solid waste that owners and operators of landfills and incinerators located in this Commonwealth import from other states pose environmental, aesthetic and traffic problems and is unfair to citizens of this Commonwealth particularly citizens living in areas where landfills and incinerators are located; and

Whereas, in 1988 the Commonwealth adopted a law designed to reduce the need for additional landfills and incinerators by requiring and encouraging recycling of certain materials; and

Whereas, it is within the power of Congress to delegate authority to the states to restrict the amount of solid waste they import from other states; and

Whereas, legislation has been introduced in both houses of Congress that would give states authority to impose reasonable restrictions on the amount of solid waste imported from other states; and

Whereas, passage of such legislation by Congress may hinge upon the success of negotiations between certain states that import and export trash; and

Whereas, Governor Ridge and the governors of four other states wrote to the Honorable George Pataki, Governor of New York, expressing their desire to reach an ac-

cord on authorizing states to place reasonable limits on the importation of solid waste; and

Whereas, the failure of Congress to act will harm this Commonwealth by allowing the continued unrestricted flow of solid waste generated in other states to landfills and incinerators located in this Commonwealth; Therefore be it

*Resolved*, That the Senate memorialize the President of the United States and Congress to support legislation authorizing states to restrict the amount of solid waste being imported from other states; and be it further

*Resolved*, That the Senate memorialize the Governor of New York to support the legislation giving states the authority to place reasonable restrictions upon the amount of solid waste imported from other states; and be it further

*Resolved*, That the Senate memorialize the President of the United States and Congress to support legislation that gives communities hosting disposal facilities the right to decide by agreement whether to accept waste from other States; and be it further

*Resolved*, That copies of this resolution be transmitted to the Honorable William Clinton, President of the United States; the Honorable George Pataki, Governor of New York; the presiding officer of each house of Congress; and to each member of Congress from Pennsylvania.

POM-89. A concurrent resolution adopted by the Legislature of the State of South Dakota; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION 1012

Whereas, South Dakota's economy, the quality of life and the personal mobility of its citizens benefit greatly from federal transportation and highway infrastructure investments; and

Whereas, the nation's highways are a linked, inter-connected system with the nation as a whole benefiting from federal highway infrastructure investments in rural western states, such as South Dakota, where our Interstate and National Highway Systems provide a bridge for the safe and efficient movement of people and goods across this vast region; and

Whereas, the benefits from federal highway investments to the nation and the states include: improved mobility to support out economy and competitive international position; access to the nation's natural resource and agricultural production, its manufactured goods, and our national parks and monuments; access and mobility for our national and civil defense forces; social progress and quality of life for our citizens; and

Whereas, South Dakota has an aging Interstate System which needs significant funding for pavement maintenance and replacement; and

Whereas, federal highway investments are supported entirely by the fees assessed every day on the users of the nation's highways; and

Whereas, the Federal Highway Trust Fund could support substantially increased investments in highway infrastructure without any increase in fees to the users of the highway system; and

Whereas, to continue the benefits of transportation and highway infrastructure investments, the Federal Surface Transportation Program must be reauthorized by the United States Congress before the program expires on September 30, 1997; Now, therefore, be it

*Resolved*, by the House of Representatives of the Seventy-second Legislature of the State of South Dakota, the Senate concurring therein, That the United States Congress is urged to

act promptly to reauthorize the Federal Surface Transportation Program; and be it further

*Resolved*, That this reauthorization include: full investment of all Highway Trust Fund balances, interest and revenues in much needed transportation and highway infrastructure; a high level of support for the nation's most important highways; the Interstate and National Highway System routes; fair treatment of rural western states in the distribution of federal highway program funds among the states, considering the national interest in rural and intercity, as well as urban transportation, and recognizing that the rural western states have vast highway systems which benefit the entire nation and few people to support them; regulatory reduction and program streamlining to improve the timeliness and cost-effectiveness of highway project delivery; and respect for the uniqueness of each state's approach to managing its transportation system where one size does not fit all, so the federal government should refrain from mandating solutions and imposing sanctions on the states; and be it further

*Resolved*, That the President of the Senate and the Speaker of the House of Representatives send a copy of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the South Dakota Congressional Delegation.

POM-90. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION No. 38

Whereas, though Texans are faced with pressing surface transportation needs that require immediate attention and revenue to remedy existing problems and to keep pace with growing demands, the state continues to lose money each year under the current federal funding formula that requires the state to contribute more to the national Highway Trust Fund than it is apportioned back; and

Whereas, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) was created to sustain and enhance a strong national surface transportation network through the National Highway System and to expand other programs to ensure that states' transportation plans are intermodal, environmentally sound, and energy efficient; and

Whereas, since its passage, however, funding provisions contained in the ISTEA have traditionally benefited some states at the expense of others, inflicting a heavy penalty that, in Texas alone, has cost this state millions of dollars that could have been used to repair and augment the Texas highway system; and

Whereas, the expiration of ISTEA on September 30, 1997, and the disparity in the current apportionment of highway funds have prompted a coalition of more than 20 states, including Texas, to join together to develop the Streamlined Transportation Efficiency Program for the 21st Century (STEP 21); while acknowledging the need for a broadly focused national surface transportation policy, the program recognizes that the surface transportation needs of each and region differ greatly and promotes a simplified federal surface transportation program that would significantly benefit mobility and the national economy while giving each state more flexibility to respond to diverse local needs; and

Whereas, currently before Congress in the form of the ISTEA Integrity Restoration

Act, the STEP 21 program seeks to revise the apportionment adjustment formula to ensure that all states receive at least a 95 percent return on tax payments made to the Highway Trust Fund while continuing to provide an adequate level of funding for states with special circumstances; it would further provide states with more autonomy to respond to their specific state and local transportation needs, would consolidate and streamline various federal highway programs, and would distribute new program funds using simplified, objective criteria; and

Whereas, the STEP 21 proposal would bring more Texas motor fuels tax dollars back to the state, giving state officials greater control over where available surface transportation funds should be spent and providing them with the flexibility to use funds from various sources to meet Texas' transportation needs: Now, therefore, be it

*Resolved*, That the 75th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to support the passage of the Streamlined Transportation Efficiency Program for the 21st Century (STEP 21); and, be it further

*Resolved*, That the 75th Legislature of the State of Texas hereby encourage the members of the Texas delegation of the Congress of the United States to cosponsor the ISTEIA Integrity Restoration Act; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas congressional delegation with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-91. A joint resolution adopted by the Legislature of the State of Vermont; to the Committee on Environment and Public Works.

#### JOINT SENATE RESOLUTION 18

Whereas, the federal Clean Air Act requires the EPA to promulgate and revise national ambient air quality standards that provide for the level of air quality necessary to protect public health, and

Whereas, the EPA is required to undertake detailed independent scientific review of all of the available health and welfare information in setting and revising the national ambient air quality standards, and

Whereas, recent studies have linked exposure to ozone in the ambient air to increased hospital admissions for respiratory illness, increased susceptibility to respiratory infection and lung inflammation, and

Whereas, long-term exposure to ozone can cause irreversible changes in the lungs leading to chronic respiratory illnesses such as emphysema, chronic bronchitis, and/or premature aging of the lungs, and

Whereas, the current primary standard for ozone is not adequate to protect the public from adverse health effects, and

Whereas, recent studies suggest that significant health effects including premature mortality, increased hospital emissions and other respiratory illnesses result from exposure to fine particulates at concentrations below the current standards, and

Whereas, concentrations of fine particulates are also responsible for significant visibility impairment in areas of importance to Vermont's tourism industry, and

Whereas, the current primary standard for particulate matter is not adequate to protect the public from the adverse health effects attributable to exposure to fine particulates, and

Whereas, children and the elderly are particularly susceptible to the adverse health effects resulting from exposure to ozone and fine particulates, and

Whereas, comprehensive economic analysis will be done in the implementation of the regulatory process, now therefore be it

*Resolved by the Senate and House of Representatives*: That it is the sense of the General Assembly that the EPA should fulfill its duty under the Clean Air Act to review and revise national ambient air quality standards to levels that are necessary to protect public health, and be it further

*Resolved*: That the General Assembly urges the EPA to revise the standards in accordance with recent scientific evidence connecting exposure to ozone and fine particulate to significant adverse health effects, particularly to children and the elderly, and be it further

*Resolved*: That the General Assembly urges the EPA to expeditiously finalize the standards for ozone and fine particulates as proposed by the EPA on November 29, 1996, and be it further

*Resolved*: That the Secretary of State is directed to forward a copy of this resolution to the President, Vice President, Vermont's Congressional delegation, and the Administrator of the EPA in Washington, DC.

POM-92. A joint resolution adopted by the Legislature of the State of Vermont; to the Committee on Environment and Public Works.

#### JOINT SENATE RESOLUTION 12

Whereas, there has been a two-to-threefold global increase in mercury in the environment since the 1850's, increases of three times have been found in wilderness areas of the United States, and much higher increases have been found in developed areas of the United States, and

Whereas, mercury is truly a state, national and international concern because mercury is atmospherically transported indiscriminately across political boundaries, and

Whereas, atmospheric deposition resulting from human activities, including area sources, waste disposal and fossil fuel burning, contributes to mercury loading in the environment, and

Whereas, mercury is a persistent bioaccumulative toxic substance that presents particular problems in aquatic systems, and

Whereas, human consumption advisories have been issued in at least 1,500 water bodies in 36 states, including Vermont, because of high levels of mercury contamination in fish, resulting in losses to tourism and fishing industries and related activities, and

Whereas, according to Environmental Protection Agency (EPA) estimates, each year in the United States between 80,000 and 85,000 pregnant women are exposed to mercury levels high enough to produce risk to their children, and

Whereas, the EPA's Mercury Report to Congress, required by the Clean Air Act to be completed by 1994, represents the best information in the world on the use, generation and disposal of mercury, and

Whereas, the EPA effectively completed the draft report in 1995, but has delayed submittal of the mercury report to Congress until 1999, and

Whereas, there are known substitutes for most mercury-containing products and devices, except for high-efficiency lighting, and

Whereas, over one-half billion mercury-containing lamps are annually generated \* \* \*

Whereas, the EPA is simultaneously establishing achievable control technologies for mercury sources pursuant to the Clean Air Act, proposing tightening water quality

criteria for mercury under the Clean Water Act, placing priority on mercury-contaminated superfund sites, but is proposing to exempt mercury-containing lamps from hazardous waste regulations, and

Whereas, the U.S. government owns in excess of 11 million pounds of mercury in Department of Defense (DOD) and Department of Energy (DOE) stockpiles, and

Whereas, the entire U.S. mercury stockpile has been declared excess to U.S. needs and has been slated for sale on the world market through the Defense National Stockpile of the DOD, and

Whereas, the State of Vermont is committed to mercury recycling and the elimination of nonessential uses of mercury as its top priority for waste management, and

Whereas, state and federal governments have taken many actions to reduce mercury in the environment, now therefore be it

*Resolved by the Senate and House of Representatives*: That it is the sense of the General Assembly that EPA should officially release the Mercury Report to Congress forthwith, and be it further

*Resolved*: That the General Assembly urges the EPA to conduct landfill air emission tests for mercury in the northeast and nationally, and be it further

*Resolved*: That the General Assembly urges the EPA not to exempt mercury-containing lamps from hazardous waste regulations, but instead to adopt universal waste rules that foster mercury recycling, and be it further

*Resolved*: That the General Assembly opposes future U.S. mercury stockpile sales, and calls for a permanent halt to sales; and be it further

*Resolved*: That the General Assembly urges EPA to develop permit provisions for all waste incinerators requiring the source separation of mercury-containing products and devices, and to not exempt smaller medical waste incinerators from more stringent federal pollution control rules; and be it further

*Resolved*: That the General Assembly urges EPA to recommend to Congress rescission of the exemption of fossil fuel burning power plants from federal pollution control rules; and be it further

*Resolved*: That the Secretary of State be directed to send copies of this resolution to the President, Vice President, Vermont's Congressional delegation, and the Administrator of the EPA.

POM-93. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION No. 495

Whereas, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 expires September 30, 1997; and

Whereas, according to the Federal Highway Administration's publication *Federal Highway Statistics*, Virginia consistently receives a lower percentage of federal highway funding than its percentage share of payments into the Highway Trust Fund; and

Whereas, the proposed reauthorization of federal aid for surface transportation programs provides an ideal opportunity to ensure that future methods of apportioning federal transportation funds are equitable and fair; and

Whereas, adequate support for the National Highway System (NHS) is necessary to provide consistent mobility and economic benefits for all states and the nation, and to ensure that Virginia's citizens are able to connect with citizens throughout the nation; and

Whereas, a streamlined transportation program is needed to provide flexible funding to allow states and their local partners to respond to specific state and local needs; and

Whereas, it is in the national interest to ensure an adequate level of resources for highways in states with small populations and large land areas, as well as states with small populations and small land areas; to provide road systems necessary to facilitate the mobility of citizens across the country and economic development; and to meet the transportation needs of transit-dependent citizens; and

Whereas, multi-modal transportation systems are needed to link the nation's highway systems to the public transit systems; and

Whereas, a strong transit program contributes to national benchmarks for improved air quality by reducing pollution as defined by the Clean Air Act Amendments of 1990; and

Whereas, the Integrity Restoration Act, which embodies the principles advanced by the Surface Transportation Efficiency Program (STEP 21) Coalition, has been introduced in both the United States House of Representatives and the United States Senate; now, therefore, be it

*Resolved* by the House of Delegates, the Senate concurring, That Congress be urged to reauthorize the federal surface transportation program by replacing outdated formulas with factors reflecting use, such as those identified in STEP 21; providing better equity in the distribution of highway funds to states; and authorizing funding for multi-modal transit services and highways; and, be it

*Resolved further*, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the House of Representatives, the President of the United States Senate, and the members of the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly in this matter.

POM-94. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION NO. 571

*Memorializing the President and the Congress of the United States to provide full federal funding to replace the Woodrow Wilson Bridge, its interchanges and approaches.*

Agreed to by the House of Delegates, February 20, 1997 and Agreed to by the Senate, February 19, 1997.

Whereas, the Woodrow Wilson Bridge is the major crossing of the Potomac River for the southern half of the Washington, D.C., metropolitan region; and

Whereas, the bridge carries 170,000 vehicles per day, yet was designed to carry only 75,000 vehicles per day; and

Whereas, traffic is estimated to increase to 300,000 vehicles per day by the year 2020; and

Whereas, the bridge is the only segment of the region's eight-lane capital beltway limited to six lanes; and

Whereas, the bridge is the only segment of the interstate system owned by the federal government; and

Whereas, delays by the owner in replacing the bridge facility have increased traffic congestion and the risk of vehicle accidents; and

Whereas, the bridge was not funded under the Interstate Construction Program because of federal ownership or included in the Final Interstate Cost Estimates where funding was provided in addition to the normal federal-aid apportionment and where the federal share was 90% of the cost of the project; and

Whereas, the National Highway System Designation Act recently reaffirmed the responsibility of the federal government to fund the reconstruction of the bridge; and

Whereas, the National Highway System Designation Act provides for the establishment of an interstate authority; and

Whereas, the Commonwealth of Virginia, the District of Columbia, and the State of Maryland have enacted legislation creating the Woodrow Wilson Bridge and Tunnel Authority; now, therefore, be it

*Resolved* by the House of Delegates, the Senate concurring, That the President and the Congress of the United States be urged to provide full federal funding to replace the Woodrow Wilson Bridge, its interchanges and its approaches; and, be it

*Resolved further*, That federal government funding and design comply with current design and engineering standards currently imposed on states for constructing bridges, and that such design enhance the capacity of the bridge and match the approaches with the new bridge configuration; and, be it

*Resolved finally*, That the Clerk of the House of Delegates transmit a copy of this resolution to the President of the United States, the Speaker of the House of Representatives, the President of the United States Senate, and the Congressional Delegation of Virginia to apprise them of the sense of the General Assembly of Virginia in this manner.

POM-95. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Environment and Public Works.

#### SENATE JOINT RESOLUTION NO. 225

*Memorializing Congress to reauthorize the federal surface transportation program by replacing outdated formulas with factors reflecting use, such as those identified in STEP 21; providing better equity in the distribution of highway funds to states; and authorizing funding for multi-modal transit services and highways.*

Agreed to by the Senate, February 20, 1997 and Agreed to by the House of Delegates, February 20, 1997.

Whereas, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 expires on September 30, 1997; and

Whereas, according to the Federal Highway Administration's publication, Federal Highway Statistics, Virginia consistently receives a lower percentage of federal highway funding than its percentage share of payments into the Highway Trust Fund; and

Whereas, the proposed reauthorization of federal aid for surface transportation programs provides an ideal opportunity to ensure that future methods of apportioning federal transportation funds are equitable and fair; and

Whereas, adequate support for the National Highway System (NHS) is necessary to provide consistent mobility and economic benefits for all states and the nation, and to ensure that Virginia's citizens are able to connect with citizens throughout the nation; and

Whereas, a streamlined transportation program is needed to provide flexible funding to allow states and their local partners to respond to specific state and local needs; and

Whereas, it is in the national interest to ensure an adequate level of resources for highways in states with small populations and large land areas, as well as states with small populations and small land areas; to provide the road systems necessary to facilitate the mobility of citizens across the country and economic development; and to meet the transportation needs of transit-dependent citizens; and

Whereas, multi-modal transportation systems are needed to link the nation's highway systems to the public transit systems; and

Whereas, a strong transit program contributes to national benchmarks for improved air quality by reducing pollution as defined by the Clean Air Act Amendments of 1990; and

Whereas, the Integrity Restoration Act, which embodies the principles advanced by the Surface Transportation Efficiency Program (STEP 21) Coalition, has been introduced in both the United States Senate and the United States House of Representatives; now, therefore, be it

*Resolved* by the Senate, the House of Delegates concurring, That Congress be urged to reauthorize the federal surface transportation program by replacing outdated formulas with factors reflecting use, such as those identified in STEP providing better equity in the distribution of highway funds to states; and authorizing funding for multi-modal transit services and highways; and, be it

*Resolved Further*, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the members of the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly of Virginia on this matter.

POM-96. A resolution adopted by the House of the Legislature of the State of Alabama; to the Committee on Finance.

#### H.R. 415

By Representatives Jeff Dolbare, James Clark and Richard Laird.

Petitioning the United States Congress to repeal estate and gift tax laws.

Whereas, working men and women of Alabama spend decades in jobs to provide a better life for themselves and their offspring; and

Whereas, Social Security and other current entitlements created by Congress may be in jeopardy in the future; and

Whereas, the savings rate in the United States is lower than in most industrialized nations; and

Whereas, the incentive to save is thwarted by the national government's tax code which takes up to 55 percent of the assets of a taxpayer upon death; and

Whereas, estates of a deceased family member, which contain, in whole or in part, closely held family businesses that owe a ludicrous amount of taxes to the federal government ranging from 37.5 to 55 percent of their fair market value, are often forced to sell or liquidate those family businesses; and

Whereas, family businesses represent the heart of the American dream and should be encouraged to continue instead of being forced into liquidation or heavy debt; and

Whereas, family farms are often forced, without leniency, to be sold in order to pay estate taxes; now therefore

Be It Resolved by the House of Representatives of the Legislature of Alabama, That the Congress of the United States is strongly urged to repeal, in their entirety, federal estate and gift tax statutes.

Be It Further Resolved, That a copy of this resolution be forwarded to the following persons:

POM-97. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts; to the Committee on Finance.

Whereas, in August of nineteen hundred and ninety-six, the United States Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, so-called; and

Whereas, Congress in said act forbade use of federal funds to provide benefits for financially needy immigrants lawfully residing in the United States; and

Whereas, legal immigrants pay taxes and contribute in many ways to the productivity and vitality of our communities; and

Whereas, the United States was founded and built by immigrants; and

Whereas, because Congress has abdicated its financial responsibility, the financial burden of the action by Congress falls unfairly on the states and needy residents of the states; Now Therefore Be It

*Resolved*, That the Massachusetts senate respectfully requests that the President and the Congress of the United States restore to the states the authority to provide federally funded benefits to needy, lawful residents of the United States; And Be It Further

*Resolved*, That the Massachusetts senate respectfully requests that the United States Congress and the President restore to the commonwealth adequate federal funding to allow for the provision of benefits for financially needy immigrants lawfully residing in this commonwealth; and Be It Further

*Resolved*, That a copy of these resolutions be transmitted forthwith by the clerk of the senate to the President of the United States of America, the presiding officer of each branch of the United States Congress, and each member of the Massachusetts congressional delegation.

POM-98. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts; to the Committee on Finance.

Whereas, for over one hundred years, Dalton, Massachusetts has been the home of Crane and Company the producer of high quality currency paper; and

Whereas, the product manufactured at Crane and Company has been of outstanding grade, produced by an experienced work force, under the direction of a superior management and within the guidelines of the free enterprise system; and

Whereas, Crane and Company has abided by all the appropriate business practices established by the United States Bureau of Engraving and Printing; and

Whereas, U.S. Treasury officials have now proposed a procedure that encourages foreign companies to unfairly compete against Crane and Company by offering a subsidy of United States tax dollars which, if implemented, could potentially harm the economic structure of western Massachusetts; and

Whereas, Crane and Company, a family owned business, has been built by the traditional method of hard work and diligence, with private capital and investment, and has, since its inception, given generously to the community; now therefore be it

*Resolved*, That the Massachusetts Senate hereby calls upon the Secretary of the United States Treasury to suspend any programs or actions that promote or provide for the subsidizing of foreign industries for the purpose of manufacturing United States currency paper; and be it further

*Resolved*, That a copy of these resolutions be transmitted forthwith by the clerk of the senate to the President of the United States, the presiding officers of each branch of Congress and the Members thereof from this Commonwealth, the Secretary of the United States Treasury and the Governor of the Commonwealth of Massachusetts.

POM-99. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Finance.

#### SENATE JOINT RESOLUTION No. 365

Whereas, the states of Connecticut, New York, Indiana, and California have established public/private long-term care partnerships; and

Whereas, these partnerships encourage the purchase of approved long-term care insurance policies by offering purchasers enhanced asset protection under the Medicaid program; and

Whereas, under such a partnership program, if a policyholder requires long-term

care and eventually exhausts his or her private insurance benefits, the policyholder is permitted to keep more of his or her assets while still qualifying for Medicaid coverage; and

Whereas, the 1993 Session of the General Assembly requested a study of the advantages of public/private partnerships to encourage the purchase of long-term care insurance in an attempt to formulate an innovative program to slow the growth of Medicaid funding for long-term care; and

Whereas, the Omnibus Budget Reconciliation Act of 1993 includes a provision, §13612 (a) (C), that discourages additional states from implementing such partnerships by requiring states to make recovery from the estates of persons who had enjoyed enhanced Medicaid asset protection, making the asset protection provided by such partnerships only temporary; and

Whereas, the removed of §13612 (a) (C) would allow additional states to establish asset protection programs for individuals who purchase qualified long-term care insurance policies without requiring states to recover such assets upon a beneficiary's death; and

Whereas, the removed of §13612 (a) (C) would make such partnerships much more attractive to potential participants, especially if they are motivated by a desire to pass some of their assets on to their children; and

Whereas, having long-term care insurance reduces the possibility that persons will spend down to Medicaid eligibility levels; and

Whereas, long-term care insurance, by reducing the Medicaid expenditures for policyholders, helps states control Medicaid costs; now, therefore be it

*Resolved by the Senate, the House of Delegates concurring*, That Congress be urged to repeal §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993; and, be it

*Resolved further*, That the Clerk of the Senate transmit a copy of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly in this matter.

POM-100. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Finance.

#### HOUSE JOINT RESOLUTION No. 618

Whereas, in 1986, the United States Congress created the Low Income Housing Tax Credit Program to assist in the construction and rehabilitation of housing for low and moderate income persons and families at rents which would be affordable to them; and

Whereas, since the creation of the Low Income Housing Tax Credit Program, approximately \$75 million worth of tax credits have been allocated in Virginia for more than 22,000 rental housing units; and

Whereas, the tax credits so allocated have generated over \$350 million in private investment funds which have been leveraged with more than \$1 billion in funding from other public and private sources; and

Whereas, the Low Income Housing Tax Credit Program has created a successful partnership of the public and private sectors, bringing together multiple parties and sources of funding and, in particular, has encouraged the involvement of nonprofit organizations in the ownership and operation of low and moderate income housing; and

Whereas, the administration of the Low Income Housing Tax Credit Program has been implemented by the states without any increase in the federal bureaucracy and minimal operating cost to the public; and

Whereas, the Low Income Housing Tax Credit Program is the only major federal program for the construction and rehabilitation of low and moderate income housing and should be continued in order to ensure the availability of an important source of funds for such housing; now, therefore, be it

*Resolved by the House of Delegates, the Senate concurring*, That the Congress of the United States be requested to continue the Low Income Housing Tax Credit Program; and, be it

*Resolved further*, That the Clerk of the House of Delegates transmit a copy of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the Congressional Delegation of Virginia to apprise them of the sense of the General Assembly of Virginia in this matter.

POM-101. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Finance.

#### SENATE JOINT RESOLUTION No. 343

Whereas, community-based services to the frail and chronically ill, especially to that category of elderly, are often uncoordinated, fragmented, inappropriate, or insufficient to meet the needs of the frail and chronically ill who are at risk of institutionalization, often resulting in unnecessary placement in nursing homes; and

Whereas, steadily increasing health care costs for the frail, chronically ill, and especially the frail elderly provide incentives to develop programs providing quality services at reasonable costs; and

Whereas, capitated, risk-based financing provides an alternative to the traditional fee-for-service payment system by providing a fixed, per capita monthly payment for a package of health care and social services and requires the provider to assume financial responsibility for cost overruns; and

Whereas, On Lok Senior Health Services of San Francisco, California, began as a federal and state demonstration program in 1973 to test whether comprehensive community-based services could be provided to the frail elderly at no greater cost than nursing home care; and

Whereas, since 1983, On Lok Senior Health Services of San Francisco, California, has successfully provided a comprehensive package of services and operated within a cost-effective, capitated risk-based financing system; and

Whereas, recognizing On Lok's success, Congress passed legislation in 1986, 1987, and 1990 encouraging the expansion of capitated long-term care programs by permitting federal Medicare and Medicaid waivers to be granted indefinitely to On Lok and authorizing the Health Care Financing Administration to grant waivers in up to 15 new sites throughout the nation in order to replicate the On Lok model and entitled this program as Program for All Inclusive Care for the Elderly (PACE); and

Whereas, in Virginia, the intent to develop programs similar to On Lok has been established by Chapter 628 (1996), which created insurance regulatory exemptions for certain health plans, and by the Budget Bill of 1995 I-92, 396-A-B; and

Whereas, pre-PACE sites can only transition to PACE if the program receives federal approval and no federal waivers are currently available; and

Whereas, Virginia's Medicaid program is currently in a contract with Sentara to offer services to Medicaid clients; now, therefore be it

*Resolved by the Senate, the House of Delegates concurring*, That Congress be urged to proceed immediately with an extension of

waivers to the PACE program or to pass S. 999, extending provider status to the PACE program; and, be it

*Resolved further*, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly in this matter.

POM-102. A resolution adopted by the Senate of the Legislature of the State of Georgia; to the Committee on Finance.

RESOLUTION NO. 387

Whereas, Georgia has a rich natural resource heritage and has been blessed with bountiful forests; and

Whereas, these forests cover two-thirds of Georgia and provide many benefits and services; and

Whereas, Georgians have relied on their forest resources for hundreds of years to provide shelter, sustenance, forest products, employment, and other economic benefits; and

Whereas, Georgia's forests also significantly contribute to our quality of life by providing clean water, clean air, rich soil, wildlife, aesthetic, and recreational benefits, all of which are irreplaceable; and

Whereas, forestry is the largest single economic contributor to Georgia's thriving economy with \$17.3 billion in total value added to the economy in 1996, and the forest products industry, through its own initiative, is working to sustain and enhance this contribution through the Sustainable Forestry Initiative; and

Whereas, hundreds of Georgia businesses including sawmills, other wood processing plants, independent logging contractors, and hundreds of thousands of private Georgia forest landowners have been adversely affected by imports of subsidized Canadian lumber; and

Whereas, over 170,000 Georgians are employed in forestry operations; and

Whereas, almost 70 percent of Georgia's timberland base is owned by over 600,000 private property owners; and

Whereas, in recent years, Georgia's timber resources have been able to exert their rightful place in the national and international marketplace with the shutdown of logging on federal lands in the Pacific Northwest; and

Whereas, this increase in product value has proven of immense benefit to Georgia's economy; and

Whereas, recent proposals to allow a renewal of the flood of subsidized, price depressing imports from outside the United States is a direct threat to the well-being of thousands of Georgians: Now, therefore, be it

*Resolved by the Senate* That the members of this body urge the United States Congress and the United States International Trade Representative not to rescind the international trade agreement limiting the amount of subsidized Canadian lumber imported into the United States duty-free, be it further

*Resolved* That the Secretary of the Senate is authorized and directed to transmit appropriate copies of this resolution to the United States Congress, the United States International Trade Representative, the Georgia Forestry Association, the Georgia Chapter of the Sierra Club, the Southeastern Wood Producers Association, the Georgia Agribusiness Council, the Campaign for a Prosperous Georgia, and the capitol press corps.

POM-103. A resolution adopted by Hudson County (New Jersey) Board of Chosen Freeholders relative to World Expo '98; to the Committee on Foreign Relations.

POM-104. A resolution adopted by the Village of Poland, Ohio relative to the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

POM-105. A resolution adopted by the Senate of the Legislature of the State of Georgia; to the Committee on Foreign Relations.

RESOLUTION NO. 205

Whereas, the Republic of Poland is a free, democratic, and independent nation with a long and proud history; and

Whereas, the North Atlantic Treaty Organization (NATO) is dedicated to the preservation of the freedom and security of its member nations; and

Whereas, the Republic of Poland desires to share in both the benefits and obligations of NATO in pursuing the development, growth, and promotion of democratic institutions and ensuring free market economic development; and

Whereas, the Republic of Poland recognizes its responsibilities as a democratic nation and wishes to exercise such responsibilities in concert with members of NATO; and

Whereas, the Republic of Poland desires to become part of NATO's efforts to prevent the extremes of nationalism; and

Whereas, the security of the United States is dependent upon the stability of Central Europe: Now, therefore, be it

*Resolved by the Senate* That the members of this body urge the President and Congress of the United States to support the Republic of Poland's petition for admission to the North Atlantic Treaty Organization and to support the establishment during 1997 of a timetable for such admission; be it further

*Resolved* That the Secretary of the Senate is authorized and directed to transmit appropriate copies of this resolution to the President of the United States, the presiding officer of each branch of the United States Congress, the members thereof from the State of Georgia, and Ambassador Jerzy Kozminski of the Republic of Poland.

POM-106. A joint resolution adopted by the Legislature of the State of Montana; to the Committee on Foreign Relations.

JOINT RESOLUTION

Whereas, China has been a divided nation since 1949, and the Republic of China on Taiwan and the People's Republic of China on the Chinese mainland have exercised exclusive jurisdiction over separate parts of China; and

Whereas, the Republic of China on Taiwan acknowledges that two equal and distinct political entities exist within the divided China; and

Whereas, the Republic of China on Taiwan is currently the 14th largest trading nation in the world; its gross national product is the 20th largest in the world; its annual per capita income exceeds \$16,000; its foreign exchange reserves exceed \$100 billion; and it has become the seventh largest outbound investor in the world; and

Whereas, the 21 million people on Taiwan enjoy a democratic form of government that includes free and open elections at the local and national levels, and the policies of the Republic of China on Taiwan conform to those of other democratic nations; and

Whereas, the Republic of China on Taiwan has joined other nations in responding to international disasters and crises, has undertaken programs of assistance for less developed nations, and has in other ways accepted regional and global responsibilities; and

Whereas, the Republic of China on Taiwan has joined several important multilateral organizations in recent years, including the Asia Pacific Economic Council and the Asian Development Bank, and its admission into these organizations has been supported by the United States; and

Whereas, the Republic of China on Taiwan has launched a campaign to pursue a seat in the United Nations without prejudice to the current position of the People's Republic of China in the United Nations; and

Whereas, membership of the Republic of China on Taiwan in the United Nations conforms to the United Nations' principle of universality and would contribute to the peace and stability of the Pacific region and, therefore, to the interests of the United States; Now, therefore, be it

*Resolved by the Senate and House of Representatives of the State of Montana*: That the Republic of China on Taiwan deserves to be allowed full membership in the United Nations. Be it further

*Resolved*, That the Secretary of State send copies of this resolution to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States Congress, the Governor of Montana, and the Montana Congressional Delegation.

POM-107. A joint resolution adopted by the Legislature of the State of Arizona; to the Committee on Governmental Affairs.

SENATE JOINT RESOLUTION 1001

Whereas, the 10th Amendment to the Constitution of the United States read as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the 10th Amendment defines the total scope of federal power as being that specifically granted by the United States Constitution and no more; and

Whereas, the scope of power defined by the 10th Amendment means that the federal government was created by the states specifically to be the agent of the states; and

Whereas, in the year 1996, the states are demonstrably treated as agents of the federal government; and

Whereas, resolutions have been forwarded to the federal government by the Arizona Legislature without any reply or result from Congress or the federal government; and

Whereas, many federal mandates are directly in violation of the 10th Amendment to the Constitution of the United States; and

Whereas, the United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the United States Constitution. Therefore be it

*Resolved by the Legislature of the State of Arizona*: That the State of Arizona hereby claims sovereignty under the 10th Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the United States Constitution and that this measure serves as notice and demand to the federal government to cease and desist, effective immediately, mandates that exceed the scope of its constitutionally delegated powers; That the Secretary of State transmit copies of the Resolution to the President and Vice-president of the United States, the Speaker of the House of Representatives of the United States, the President of the Senate of the United States, each Member of the Arizona Congressional Delegation and the Speaker of the House of Representatives and the President of the Senate of each state legislature in the United States.

POM-108. A resolution adopted by the Senate of the Legislature of the Commonwealth

of Massachusetts; to the Committee on Governmental Affairs.

Whereas, targeted business incentive programs have proliferated into a counterproductive economic war between the States and now form the cornerstone of State-sponsored "economic development" policies; and

Whereas, these programs fail to promote healthy and equitable statewide economic growth and, in reality, result in States engaging in economic warfare by moving businesses from one location to another both within and between States, with no significant economic benefit in the aggregate; and

Whereas, America's future in the global economy lies within its educational, industrial, technological, and research capabilities throughout the entire fifty States; and

Whereas, disarmament of wasteful programs can be achieved through a combination of new State and Federal policies; and

Whereas, States would be better off providing a less burdensome tax climate for all businesses and a quality educational system geared to providing an adequately trained and ready work force, support for research and development, and a quality transportation system, along with other high-quality traditional Government services; and

Whereas, efforts are currently under way in the United States Congress to identify and eliminate federally funded programs that are used by the States to escalate this economic warfare: Therefore be it

*Resolved*, That the Massachusetts House of Representatives urges the Congress of the United States to embrace and support efforts in the United States Congress such as H.R. 1842 and other legislative initiatives that will begin to mitigate this economic warfare: And be it further

*Resolved*, That a copy of these resolutions be forwarded by the Clerk of the House of Representatives to the Presiding Officer of each branch of the Congress, and to the members thereof from this Commonwealth.

POM-109. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Governmental Affairs.

#### HOUSE JOINT RESOLUTION NO. 415

Whereas, the federal government distributed almost \$229 billion in grants to state and local governments in federal fiscal year 1995; and

Whereas, Virginia received approximately \$3.5 billion in federal grants in federal fiscal year 1995; and

Whereas, Virginia's receipt of federal grants on a per-capita basis is the lowest of any state in the country and has been for five consecutive years; and

Whereas, many federal grants are awarded using mathematical formulas that may be disadvantageous to the Commonwealth; and

Whereas, the United States General Accounting Office last prepared a catalogue of federal grant formulas in 1987; and

Whereas, an updated catalogue of federal grant formulas is vital for Virginia to better understand and address its receipt of federal grant moneys: Now therefore, be it

*Resolved by the House of Delegates, the Senate concurring*, That the Congress of the United States be urged to direct the General Accounting Office to update its 1987 catalogue of federal grant-in-aid formulas as soon as possible; and, be it

*Resolved further*, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the members of the Congressional Delegation of Virginia, and the Director of the Virginia Liaison Office in order that they may be apprised

of the sense of the General Assembly of Virginia in this matter.

POM-110. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia; to the Committee on Governmental Affairs.

#### SENATE JOINT RESOLUTION NO. 228

Whereas, the federal government was granted carefully limited powers by the states through the ratification of the Constitution of the United States; and

Whereas, the 10th Amendment to the Constitution of the United States specifies that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people"; and

Whereas, the framers of the Constitution recognized that the separation of powers is essential in protecting the rights of the people and extends not only to the three branches of the federal government, but also to the relationship between the federal government and state governments; and

Whereas, the three branches of the federal government have by many actions usurped powers reserved by the Constitution of the United States to the states and the people, thus severely unbalancing the relationship between the federal government and the state governments; and

Whereas, the federal judiciary has not taken any action to control these unwarranted assumptions of power by the federal government; and

Whereas, less federal preemption means states can act as true laboratories of democracy, developing novel social and economic policies without intruding into the affairs of the rest of the nation; and

Whereas, in order to restore the balance of power between the federal government and state governments as intended by the framers of the Constitution of the United States, the federal government must carefully consider, and be accountable for, the constitutional boundaries of its jurisdiction; now, therefore, be it

*Resolved by the Senate, the House of Delegates concurring*, That the Congress of the United States be urged to enact legislation that would require Congress to cite the constitutional authority for all proposed laws; and, be it

*Resolved further*, That the enabling legislation enacted by Congress contain the following provisions:

1. To require Congress to state explicitly the extent to which the proposed section of any new law preempts any state, local, or tribal law, and if so, to provide the reasons for such preemptions;

2. To prohibit federal agencies from promulgating rules or regulations (i) that preempt or otherwise interfere with state and local powers without expressed statutory authority and (ii) that do not give states notice and an opportunity to be heard in the rule-making process; and

3. If clause 3 of Section 8 of Article I of the Constitution of the United States is cited as the constitutional authority for the proposed law, to require Congress to report a list of factual findings establishing a substantial nexus between the regulatory effect of the proposed law and interstate commerce; and, be it

*Resolved finally*, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the members of the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly in this matter.

#### REPORT OF COMMITTEE SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 23, 1997, the following reports of committees were submitted on May 28, 1997:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 210. A bill to amend the Organic Act of Guam, the Revised Organic Act of the Virgin Islands, and the Compact of Free Association Act, and for other purposes (Rept. No. 105-22).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WARNER:

S. 819. A bill to designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the "Martin V.B. Bostetter, Jr. United States Courthouse"; to the Committee on Environment and Public Works.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. THURMOND:

S. Res. 95. A resolution designating August 16, 1997, as "National Airborne Day"; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER:

S. 819. A bill to designate the United States courthouse at 200 South Washington Street in Alexandria, Virginia, as the "Martin V.B. Bostetter, Jr. United States Courthouse"; to the Committee on Environment and Public Works.

THE MARTIN V.B. BOSTETTER, JR. UNITED STATES COURTHOUSE DESIGNATION ACT OF 1997

• Mr. WARNER. Mr. President, I am introducing a bill today to designate the U.S. Bankruptcy Courthouse, at 200 S. Washington Street in Alexandria, VA the "Martin V.B. Bostetter, Jr. United States Courthouse."

I authored previous legislation which is now law, authorizing the transfer of the Albert V. Bryan U.S. Courthouse building name from 200 S. Washington Street to the new Alexandria U.S. Courthouse. Since that time the old Albert V. Bryan Courthouse has remained nameless, while still serving the U.S. Bankruptcy Court. I can think of no better person to name the bankruptcy court after than Chief Judge Bostetter given his long service to the bankruptcy court in Alexandria.

Chief Judge Bostetter is currently the Chief Judge for the Eastern District of Virginia. He was appointed to the U.S. Bankruptcy Court in 1959, and appointed Chief Judge on February 1, 1985. He has the longest tenure on the bench of any bankruptcy judge in the country, a record he will probably hold for sometime.