

SENATE CONCURRENT RESOLUTIONS

CHAPTER 535

SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Management)
(Budget Section)

A concurrent resolution authorizing the Budget Section of the Legislative Management to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

WHEREAS, the Congress of the United States enacted the Omnibus Budget Reconciliation Act of 1981 creating the community services block grant program; and

WHEREAS, the Legislative Assembly is required to conduct public hearings; and

WHEREAS, the Appropriations Committees have met the public hearing requirement for community services block grant program money expected for the next biennium by the Department of Commerce; and

WHEREAS, the Sixty-seventh Legislative Assembly cannot hold public hearings on revisions to current block grants or additional block grants that may be approved by Congress after recess or adjournment of the Legislative Assembly; and

WHEREAS, the Legislative Assembly will not meet in regular session during 2022, and thus its public hearing responsibility for grants not approved by the Sixty-seventh Legislative Assembly must be delegated to a legislative entity.

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

That the Department of Commerce appropriation bill enacted by the Legislative Assembly is the Legislative Assembly's approval of and contains directions regarding the use of community services block grant program money for the period ending September 30, 2023; and

BE IT FURTHER RESOLVED, that the Budget Section of the Legislative Management may hold the public legislative hearings required for the receipt of additional block grants or other federal moneys under the Omnibus Budget Reconciliation Act of 1981 or other relevant federal statutes; and

BE IT FURTHER RESOLVED, that the authority granted by this resolution is in effect during the period from the recess or adjournment of the Sixty-seventh Legislative Assembly through September 30, 2023, and the Budget Section may provide public notice and hold the hearings authorized by this resolution using the methods and procedures it deems appropriate.

Filed March 25, 2021

CHAPTER 536**SENATE CONCURRENT RESOLUTION NO. 4003**

(Senator Dever)
(Representative Bosch)

A concurrent resolution designating House and Senate employment positions and fixing compensation.

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

That for the Sixty-seventh Legislative Assembly, the following positions are designated as employee positions of the House and Senate and are to be paid the daily wages indicated:

HOUSE

Chief clerk	\$210
Assistant chief clerk	186
Journal reporter	200
Calendar clerk	186
Bill clerk	172
Recording clerk	167
Sergeant-at-arms	167
Administrative assistant to majority leader	181
Staff assistant to majority leader	181
Administrative assistant to minority leader	181
Staff assistant to minority leader	181
Administrative assistant to Speaker	181
Deputy chief clerk	193
Appropriations committee clerk	181
Assistant appropriations committee clerk	174
Committee clerk for three-day committee	174
Committee clerk for two-day committee	174

Assistant committee clerk	169
Deputy sergeant-at-arms	127
Chief legislative assistant	141
Legislative assistant	120

SENATE

Secretary of the Senate	\$210
Assistant secretary of the Senate	186
Journal reporter	200
Calendar clerk	186
Bill clerk	172
Recording clerk	167
Sergeant-at-arms	167
Administrative assistant to majority leader	181
Staff assistant to majority leader	181
Administrative assistant to minority leader	181
Staff assistant to minority leader	181
Chief committee clerk	193
Appropriations committee clerk	181
Assistant appropriations committee clerk	174
Committee clerk for three-day committee	174
Committee clerk for two-day committee	174
Assistant committee clerk	169
Deputy sergeant-at-arms	127
Chief page	141
Legislative assistant	120

BE IT FURTHER RESOLVED, that each employee of the Sixty-seventh Legislative Assembly is entitled to an additional \$1 per day for each previous regular session of the Legislative Assembly during which that employee was paid for at least 45 days, as either an employee of the House or the Senate, and to receive this additional compensation, which may not exceed \$10 per day, that employee must certify to the Legislative Council the year of each regular session during which that employee was employed as required by this resolution; and

BE IT FURTHER RESOLVED, that each majority and each minority leader is entitled to one administrative assistant and two staff assistants, but each majority or minority leader may hire fewer or more assistants so long as the total daily compensation for the assistants hired does not exceed the total daily amount authorized for those positions by this resolution; and

BE IT FURTHER RESOLVED, that the report of the Employment Committee of the respective house identify the number of employees in each position by listing every employee and the position for which employed; and

BE IT FURTHER RESOLVED, that with the approval of the Employment Committee of the respective house, a position may be converted to a part-time position, with the daily compensation converted to a per hour rate of pay, and a part-time employee may hold more than one part-time position so long as the positions held do not exceed a full-time equivalent position; and

BE IT FURTHER RESOLVED, an employee is entitled to pay for any day the Legislative Assembly is in recess and any employee is required to be present for committee hearings or other legislative business; and

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided by this resolution for that employee ceases effective the last day of employment.

Filed January 18, 2021

CHAPTER 537**SENATE CONCURRENT RESOLUTION NO. 4008**

(Senators Wardner, Heckaman)
(Representatives Boschee, Pollert)

A concurrent resolution declaring February 11, 2021, as Giving Hearts Day in North Dakota.

WHEREAS, Giving Hearts Day was started in 2008 by Dakota Medical Foundation and Impact Foundation as the first one-day virtual fundraising event of its kind in the region; and

WHEREAS, the Alex Stern Family Foundation joined Dakota Medical Foundation and Impact Foundation as a cohost in 2014; and

WHEREAS, this 24-hour fundraising event in North Dakota and northwest Minnesota is dedicated to inspiring donations for charities at givingheartsday.org; and

WHEREAS, Dakota Medical Foundation, Impact Foundation, and Alex Stern Family Foundation jointly lead givingheartsday.org to create a powerful, regional, user-friendly website for donors to find and connect with charities and for nonprofits to receive donations and recruit volunteers and secure needed goods; and

WHEREAS, in 2020, \$19.2 million was raised from more than 35,000 caring donors, directly benefiting nearly 500 charitable causes, and since its start, nearly \$90 million has been raised; and

WHEREAS, Giving Hearts Day 2021 includes nearly 500 charitable causes and spans the entire state of North Dakota and northwest Minnesota; and

WHEREAS, more than \$5 million has been committed by the cohosts, businesses, and other generous community members to be used for matches, awards, incentives, and scholarships benefiting participating Giving Hearts Day charities; and

WHEREAS, North Dakota citizens are encouraged to experience the joy of giving and volunteering as well as igniting others to help great causes positively impact our communities;

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

That the Sixty-seventh Legislative Assembly declares February 11, 2021, as Giving Hearts Day in North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to Dakota Medical Foundation.

Filed February 9, 2021

CHAPTER 538**SENATE CONCURRENT RESOLUTION NO. 4009**

(Senators Wardner, Bekkedahl, Patten)
(Representatives Hatlestad, Kempenich, Zubke)

A concurrent resolution recognizing the cooperative efforts of the rotary clubs and districts, and the citizens of multiple states from southern Texas to the far northern reaches of North Dakota and Saskatchewan, in the completion of marking the North Dakota segment of the Great Western Cattle Trail on June 27, 2021, and acknowledging the legendary role of the Great Western Cattle Trail in the history of the United States.

WHEREAS, the Great Western Cattle Trail was blazed by John T. Lytle in 1874; and

WHEREAS, by 1879, the Great Western Cattle Trail was the principal thoroughfare for Texas longhorns bound for the northern markets; and

WHEREAS, by the time of the last drive, in the 1890s, the Great Western Cattle Trail had served approximately 7,000,000 cattle, hundreds of trail bosses, chuckwagons, and remudas; and

WHEREAS, the Great Western Cattle Trail achieved almost mythical stature on the American frontier, and solidified its place in the history of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and the province of Saskatchewan; and

WHEREAS, in 2003, rotary clubs launched a project to mark the entire Great Western Cattle Trail with concrete posts placed every six to ten miles; and

WHEREAS, on May 1, 2008, Rotary District 5580 proudly placed the first marker in Medora, North Dakota; and

WHEREAS, the placement of North Dakota's final trail marker was placed in Fort Buford;

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

That the Sixty-seventh Legislative Assembly recognizes the cooperative efforts of the rotary clubs and districts, and the citizens of multiple states from southern Texas to the far northern reaches of North Dakota and Saskatchewan, in the completion of marking the North Dakota segment of the Great Western Cattle Trail on June 27, 2021, and acknowledging the legendary role of the Great Western Cattle Trail in the history of the United States; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each of the past governors of Rotary District 5580.

Filed April 19, 2021

CHAPTER 539**SENATE CONCURRENT RESOLUTION NO. 4010**

(Senators Clemens, Myrdal)
(Representative Rohr)

A concurrent resolution clarifying the 1975 ratification by the 44th Legislative Assembly of the proposed 1972 Equal Rights Amendment to the Constitution of the United States only was valid through March 22, 1979.

WHEREAS, the 92nd Congress of the United States of America, during its second session, with the constitutionally required vote of two-thirds of both houses, on March 22, 1972, gave final approval to House Joint Resolution No. 208, commonly referred to as the Equal Rights Amendment, to propose the amendment to the Constitution of the United States, pursuant to Article V of the Constitution of the United States; and

WHEREAS, in offering the proposed federal constitutional amendment to America's state lawmakers, the 92nd Congress chose a deadline of 7 years, or until March 22, 1979, for the constitutionally mandated ratification of the amendment by three-fourths of the country's state legislatures; and

WHEREAS, in Senate Concurrent Resolution No. 4007, the regular session of the 44th Legislative Assembly in 1975, responded by ratifying the proposed 1972 Equal Rights Amendment to the Constitution of the United States;

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

That the 67th Legislative Assembly deems that the vitality of Senate Concurrent Resolution No. 4007 of the 44th Legislative Assembly by which North Dakota lawmakers ratified the 1972 Equal Rights Amendment, officially lapsed at 11:59 p.m. on March 22, 1979; and

BE IT FURTHER RESOLVED, that, after March 22, 1979, the Legislative Assembly, while in agreement women and men should enjoy equal rights in the eyes of the law, should not be counted by Congress, the Archivist of the United States, lawmakers in any other state, any court of law, or any other person, as still having on record a live ratification of the proposed Equal Rights Amendment to the Constitution of the United States as was offered by House Joint Resolution No. 208 of the 92nd Congress on March 22, 1972; and

BE IT FURTHER RESOLVED, that the 67th Legislative Assembly respectfully requests the full and complete verbatim text of this resolution be duly published in the United States Senate's portion of the Congressional Record, as an official memorial to the United States Senate, and that this resolution be referred to the committee of the United States Senate with appropriate jurisdiction over its subject matter; and

BE IT FURTHER RESOLVED, that the 67th Legislative Assembly respectfully requests the substance of this resolution be duly entered in the United States House of Representatives' portion of the Congressional Record, as an official memorial to

the United States House of Representatives, and that this resolution be referred to the committee of the United States House of Representatives with appropriate jurisdiction over its subject matter; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Vice President of the United States, the secretary and parliamentarian of the United States Senate; the Speaker, clerk, and parliamentarian of the United States House of Representatives; each member of the North Dakota Congressional Delegation; and the Archivist of the United States at the National Archives and Records Administration in Washington, D.C.

Filed March 24, 2021

CHAPTER 540

SENATE CONCURRENT RESOLUTION NO. 4011

(Senators Dwyer, Bakke, Conley, Kannianen, Rust, Wanzek)

A concurrent resolution urging Congress to establish a 1776 Commission and urging the United States Department of Education to develop educational materials that will provide education for students in accordance with the principles of the founding of America, the unifying ideals stated in the Declaration of Independence, the United States Constitution, and other founding documents.

WHEREAS, President Trump's Advisory 1776 Commission was established to enable a rising generation to understand the history and principles of the founding of the United States in 1776; and

WHEREAS, to understand the history and principles of the founding of the United States, the principles of the American founding can be learned by studying the abundant historical documents and records of the nation's founders, including the Declaration of Independence and the United States Constitution; and

WHEREAS, the core assertions of the Declaration of Independence are all men are created equal, no man may by right rule another without consent, and there are natural rights that must be secured; and

WHEREAS, the Constitution is the supreme law of the land and created a structure and a process for securing American rights and liberties and spelled out the divisions and limits of the powers of government; and

WHEREAS, there have been many challenges to America's core principles and those challenges have been addressed during the history of the United States of America; and

WHEREAS, the nation can restore national unity by rekindling the rising generation's knowledge of America's founding principles through patriotic education, personal responsibility, and societal duties;

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

That the Sixty-seventh Legislative Assembly urges Congress to establish a 1776 Commission and urges the United States Department of Education to develop educational materials that will provide education for students in accordance with the principles of the founding of America, the unifying ideals stated in the Declaration of Independence, the United States Constitution, and other founding documents; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation and the United States Secretary of Education.

Filed April 12, 2021

CHAPTER 541

SENATE CONCURRENT RESOLUTION NO. 4012

(Senator Wardner)
(Representative Pollert)

A concurrent resolution to establish a state policy to support the reliability and resilience of the electric grid, ensure price transparency to consumers in electric markets, and incentivize carbon capture utilization and storage as an alternative to preserve dispatchable thermal electric generation and its associated benefits.

WHEREAS, the welfare of the citizens and economic security of this state depends on the reliability and resilience of the electric power supply; and

WHEREAS, maintaining a reliable and resilient grid with a combination of resources that has dependence on thermal electric generation fueled by abundant domestic coal and natural gas is essential to domestic energy and geopolitical security; and

WHEREAS, the variability of nondispatchable energy that is subsidized presents major challenges to the independent system operators responsible for the bulk power system reliability and resilience as they have less dispatchable thermal electric generation available; and

WHEREAS, electric power markets have been distorted by direct and indirect subsidies which has resulted in the undervaluation of dispatchable thermal electric power plants that are now at risk of early retirement that will further erode electric grid reliability and resilience; and

WHEREAS, regional utilities have announced plans to retire coal-fired electric generation facilities located in North Dakota and the region before the facilities' useful life while simultaneously making significant investments in nondispatchable energy projects; and

WHEREAS, these announcements create an urgent need for North Dakota to take actions to make clear the value of dispatchable power and address market distortions created by production of nondispatchable power both locally and regionally; and

WHEREAS, in both the Southwest Power Pool and Midcontinent Independent System Operator, state and federal policies mandating and incenting the deployment of significant nondispatchable energy are imposing reliability and resilience penalties on the bulk power system relied upon by the citizens and industries of North Dakota without due compensation for the true and total cost of those penalties; and

WHEREAS, planning by the Midcontinent Independent System Operator and the Southwest Power Pool includes major additions of transmission lines, synchronous condensers, static compensators, and other devices to provide grid attributes that are lost as dispatchable resources retire; and

WHEREAS, economics and scaling issues currently remain a challenge for energy storage technologies to provide sufficient capacity to replace dispatchable thermal electric generation and provide grid support; and

WHEREAS, North Dakota has long served as an energy producer and exporter for the Midwest and the nation and is situated uniquely to advance and benefit from carbon capture utilization and storage projects due to the state's significant lignite reserves and associated lignite-fired thermal electric generation and coal conversion facilities, geologic formations, the state's significant natural gas capture and electric power development opportunities, as well as the state's significant oil reserves that have high potential for enhanced oil recovery utilizing anthropogenic carbon dioxide captured from lignite- and gas-fired thermal electric generation; and

WHEREAS, developing carbon capture utilization and storage projects in North Dakota will result in significant state and local revenue and employment benefits by preserving lignite mines and associated thermal electric generation plants while creating new employment and revenue opportunities associated with the construction and operation of carbon capture, power plant, and enhanced oil recovery projects; and

WHEREAS, additional opportunities will be created by utilization of electricity onsite through both carbon capture utilization and installation of complimentary operations that use high amounts of electricity, creating products onsite not necessary to ship to market, further reducing capacity utilizing the transmission system, and creating space for additional technology neutral electric generation in future years; and

WHEREAS, by deploying carbon capture utilization and storage and other onsite electricity consumption projects in North Dakota using lignite, natural gas, power plant, and other cutting-edge technology and workers from North Dakota to produce reliable and affordable electric generation for its citizens and its industry, as well as other products, North Dakota not only will benefit in the short term economically, it will improve reliability and affordability throughout the Midwest and ensure the ability to be a world leader in deploying carbon capture utilization and storage projects globally, ensuring developing nations the ability to provide low-carbon, reliable energy to their citizens; and

WHEREAS, the system of regulatory oversight does not ensure sufficiently the reliability and resilience of the electric grid because of market distortion and unrealistic electricity production mandates from states, driving regional transmission operators in their dispatch policies; and

WHEREAS, the combination of direct and indirect subsidies are hidden in the cost to the ratepayer, preventing ratepayers from knowing the true and total cost of the electric power purchased; and

WHEREAS, regional transmission operator policy decisions lead to premature retirement analyses that do not consider adequately the reliability and resilience penalties of renewable nondispatchable energy. Nor do they adequately scrutinize premature retirement decisions by requiring analysis and compensation for decarbonization by installation of carbon capture utilization and storage technologies, which help meet carbon reduction goals; allow additional energy generation to utilize the transmission system; and bring significant economic, employment, and energy security benefits to North Dakota and the United States; and

WHEREAS, robust and diverse production of all natural resources for electric generation within the state of North Dakota should be maintained while providing stable and affordable electricity benefits to North Dakota and its citizens, along with the electrical grid connected to the surrounding region; and

WHEREAS, priority should be given to industries working together to achieve overall best practices by integrating aspects of multiple industries to achieve the best overall results; and

WHEREAS, use of waste heat, carbon recycling, hybrid generation resources, energy storage, and new technologies that contribute to a reliable grid, overall energy efficiency, and reasonable cost are all part of this vision;

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

That a state policy is established to support the reliability and resilience of the electric grid, establish inherent value of dispatchable energy, ensure price transparency to consumers in electric markets, and incentivize carbon capture utilization and storage as an alternative to preserve dispatchable thermal electric generation and its associated benefits; and

BE IT FURTHER RESOLVED, that the Public Service Commission shall coordinate with regional transmission organizations to ensure and develop policies reflected above which provide reliable, dispatchable power for the region in an effective and consistent manner, discourage premature retirement of our thermal electric power generation fleet, and encourage installation of carbon capture utilization and storage technologies to help meet decarbonization and reliability goals of the region in an effective and consistent manner; and

BE IT FURTHER RESOLVED, that the North Dakota Transmission Authority annually develop a comprehensive report for North Dakota by collecting publicly available information and other requested information from our state's utilities and utilize this information to coordinate with regional transmission organizations to ensure both local and regional grid reliability as well as to develop a plan to enhance and expand transmission within North Dakota to continue our strong tradition of being an energy exporter to our region and the United States; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the Public Service Commission; North Dakota Transmission Authority; North Dakota Congressional Delegation; Midwest Independent System Operator; and Southwest Power Pool.

Filed April 19, 2021

CHAPTER 542

SENATE CONCURRENT RESOLUTION NO. 4013

(Senators Marcellais, Heckaman, Kannianen, Schaible)

(Representative Trottier)

(Approved by the Delayed Bills Committee)

A concurrent resolution urging Congress to pass the North Dakota Trust Lands Completion Act.

WHEREAS, upon statehood in 1889, North Dakota was granted 2.6 million acres of scattered lands and minerals with the purpose of funding education and public needs within the state; and

WHEREAS, establishment of tribal nations and the Little Missouri National Grasslands trapped state-owned lands and minerals within these boundaries which often are very difficult for North Dakota to access and manage; and

WHEREAS, North Dakota currently holds over 130,000 acres of minerals and over 31,000 surface acres within tribal nations alone, which are largely unable to be developed by the state pursuant to North Dakota's mandate to generate income for schools, universities, and other public purposes; and

WHEREAS, authorizing North Dakota to relinquish North Dakota land grant parcels located within tribal nations and the grasslands and to select other federal lands or minerals in lieu of not receiving full access to and use of the original land since North Dakota attained statehood will fulfill the promise of land and minerals to North Dakota, provide to Indian tribes greater tribal sovereignty and control of lands and minerals within tribal nations, and provide for greater conservation and preservation of the grasslands; and

WHEREAS, Congress should authorize North Dakota to relinquish the lands and minerals located within tribal nations and the grasslands; and to select in lieu of the relinquished land other federal lands or minerals within North Dakota of equal value;

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

That the Sixty-seventh Legislative Assembly urges the Congress of the United States to pass the North Dakota Trust Lands Completion Act; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the United States Secretary of the Interior, and each member of the North Dakota Congressional Delegation.

Filed April 9, 2021

CHAPTER 543**SENATE CONCURRENT RESOLUTION NO. 4014**

(Senator Wobbema)
(Representatives Christensen, Ertelt, Kiefert)

A concurrent resolution directing the Legislative Management to consider studying the apportionment of voting rights in relation to a voter's ability to approve or protest a tax increase, bond issuance, or the formation of an improvement district and whether the current manner of apportioning voting rights is equitable and appropriate.

WHEREAS, the apportionment of voting rights in relation to approval of political subdivision levy authority generally is apportioned one vote per qualified elector; and

WHEREAS, the apportionment of voting rights in relation to an individual's ability to protest the formation of a special assessment improvement district includes the apportionment of one vote for each dollar of the proposed special assessment against the owner's property and the apportionment of votes based on the total number of acres a property owner owns which are subject to assessment; and

WHEREAS, the apportionment of voting rights in relation to approval of a bond issuance generally is apportioned one vote per qualified elector, but the apportionment of voting rights in relation to protesting a bond issuance is measured in terms of assessed valuation in certain instances;

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

That the Legislative Management consider studying the apportionment of voting rights in relation to a voter's ability to approve or protest a tax increase, bond issuance, or the formation of an improvement district and whether the current manner of apportioning voting rights is equitable and appropriate; and

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

Filed April 22, 2021

CHAPTER 544**SENATE CONCURRENT RESOLUTION NO. 4016**

(Senator Wobbema)

(Approved by the Delayed Bills Committee)

A concurrent resolution urging Congress to refrain from issuing a vaccine passport and from enacting any law that would restrict an individual's right to travel or participate in commerce, religious freedom, and education based on whether the individual has received a COVID-19 vaccine.

WHEREAS, the Founding Fathers deemed a Bill of Rights was necessary to guard an individual's liberty against encroachments from state and federal actions, both public and private; and

WHEREAS, no COVID-19 vaccine has been officially approved by the federal Food and Drug Administration; and

WHEREAS, emergency use products are prohibited by federal law under 21 U.S.C. 360bbb-3 from being mandated insofar as individuals must be informed of "the option to accept or refuse administration of the product"; and

WHEREAS, in August 2020 the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices affirmed under an emergency use authorization, experimental vaccines may not be made mandatory; and

WHEREAS, universally accepted codes of medical ethics, including the Nuremberg Code and the Declaration of Helsinki, absolutely prohibit any form of coercion to make individuals participate in a medical experiment; and

WHEREAS, public and private measures are being considered to mandate experimental vaccination to participate in certain public activities and functions of daily American life, including employment, in-person school attendance, public transportation, and concert performances; and

WHEREAS, Section 1 of Article I of the Constitution of North Dakota provides "[a]ll individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; pursuing and obtaining safety and happiness; and to keep and bear arms for the defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed"; and

WHEREAS, "vaccine passports," "digital health IDs," and other similar required documentations pose substantial risks to personal privacy and equal treatment before the law for all North Dakotans and United States citizens;

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

That the Sixty-seventh Legislative Assembly urges the Congress of the United States to refrain from issuing a vaccine passport and from enacting any law that would restrict an individual's right to travel or participate in commerce, religious freedom, and education based on whether the individual has received a COVID-19 vaccine; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the United States Department of Health and Human Services, the Majority and Minority Leaders of the United States Senate and the United States House of Representatives, and to each member of the North Dakota Congressional Delegation.

Filed April 22, 2021