

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE CONCURRENT RESOLUTION NO. 3051
(Representatives Kretschmar, Brandenburg, D. Johnson)

A concurrent resolution directing the Legislative Council to study imposition of criminal and civil penalties, fines, fees, and forfeitures by administrative rule.

WHEREAS, it is a legislative responsibility to assure that criminal and civil penalties, fines, fees, and forfeitures are imposed according to law and within the purview of an appropriate level of legislative and public scrutiny; and

WHEREAS, imposition of criminal and civil penalties, fines, fees, and forfeitures by administrative rule may not provide adequate safeguards of public consideration and legislative deliberation, which are provided by consideration of legislation by the full Legislative Assembly; and

WHEREAS, it is incumbent upon the Legislative Assembly to conduct a thorough review of criminal and civil penalties, fines, fees, and forfeitures to ensure that legislative and public interests are properly addressed in existing administrative rules and procedures for implementation and imposition of administrative rules imposing criminal and civil penalties, fines, fees, and forfeitures;

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

That the Legislative Council study imposition of criminal and civil penalties, fines, fees, and forfeitures by administrative rule; and

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State