

Fifty-fifth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE CONCURRENT  
RESOLUTION NO. 4024**

Introduced by

Senators Mathern, DeMers, Lee, G. Nelson

Representatives Boucher, Dorso

1 A concurrent resolution directing the Legislative Council to study the development of an  
2 electronic mail and records management policy for governmental entities.

3 **WHEREAS**, various state agencies and institutions and numerous political subdivisions  
4 operate or maintain electronic mail systems through which government officials and employees  
5 and others are able to communicate and transmit information; and

6 **WHEREAS**, state law does not address the impact of open records laws with respect to  
7 the use of electronic mail, nor does it address the privacy issues surrounding monitoring of  
8 electronic mail; and

9 **WHEREAS**, before the state adopts an electronic mail policy, comprehensive study of  
10 privacy issues such as monitoring of electronic communications and what types of electronic  
11 communications are subject to open records laws is needed; and

12 **WHEREAS**, official business may be conducted electronically using digital signatures;  
13 and

14 **WHEREAS**, standards and procedures need to be reviewed for the effective  
15 management of the electronic records;

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

18 That the Legislative Council study the development of an electronic mail and records  
19 management policy for governmental entities; and

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