

HOUSE CONCURRENT RESOLUTION NO. 3051

Introduced by

Representatives Kretschmar, Brandenburg, D. Johnson

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

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

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

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

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

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

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