

Sixty-ninth
Legislative Assembly
of North Dakota

CONCURRENT RESOLUTION NO.

Introduced by

Senator Mathern

Representative Heilman

1 A concurrent resolution encouraging the Legislative Management to consider legislation to
2 ensure transparency regarding data centers proposed, constructed, or developed in this state.

3 **WHEREAS**, a data center is a facility constructed primarily for the storage, management,
4 and processing of digital data, which houses computer and network systems, including
5 associated components such as servers, network equipment and appliances,
6 telecommunications systems, Internet-related equipment and services, data communications
7 connections, environmental control systems, fire protection systems, security systems, and
8 other equipment and infrastructure necessary to support the operation of the facility; and

9 **WHEREAS**, data centers are substantial consumers of electricity and water, significantly
10 affect land use, and may degrade local environmental quality in the communities in which the
11 data centers are located; and

12 **WHEREAS**, addressing the potential water, energy, and land use impacts of data centers
13 solely at the permitting stage may result in unforeseen impacts on water and energy resources
14 and may affect existing businesses and land uses; and

15 **WHEREAS**, protecting the long-term sustainability of the state's natural resources requires
16 a proactive approach to planning and oversight to promote economic development and the
17 public interest while reducing the potential for future conflicts and competition for resources; and

18 **WHEREAS**, state and local agencies and authorities should promote transparency
19 regarding proposed data center projects, including negotiations, contracts, incentive
20 agreements, and potential community and environmental impacts, to foster public confidence
21 and meaningful community participation; and

22 **WHEREAS**, North Dakota Century Code Chapter 44-04 establishes requirements for public
23 access to records of public entities, subject to certain exemptions for confidential or proprietary
24 information, providing a framework for transparency and community involvement regarding
25 proposed data center projects; and

1 **WHEREAS**, it is in the public interest to ensure transparency regarding data centers
2 proposed, constructed, or developed in this state;

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

5 That the Legislative Management consider legislation to ensure transparency regarding
6 data centers proposed, constructed, or developed in this state; and

7 **BE IT FURTHER RESOLVED**, that the Legislative Management, if appropriate, prepare
8 legislation for consideration by the Seventieth Legislative Assembly.