



**WHEREAS**, Senate Bill 2018, enacted during the 2013 legislative session, provided for funding to the Department of Commerce of \$1 million from the general fund for costs related to pursuing Federal Aviation Administration (FAA) designation as an unmanned aircraft systems national test site and an additional \$4 million for test site operations contingent upon receipt of a designation from the FAA as an unmanned aircraft systems (UAS) test site; and,

**WHEREAS**, the Department of Commerce has significant experience in funding and incentivizing initiatives having both university and private sector participation while the University of North Dakota has well-established operational capabilities that have been central to the successful implementation of a UAS test site; and,

**WHEREAS**, since the establishment of the Northern Plains Unmanned Systems Authority (the Authority) in 2013, the facility has received FAA approval; the North Dakota Legislature has consistently supported these efforts and approved funding to deploy a statewide beyond visual line of sight (BVLOS) network for unmanned aerial systems; Northern Plains UAS Test Site will oversee the BVLOS network, integrating the state's technology and transportation infrastructure.

**NOW THEREFORE**, Doug Burgum, as Governor of the State of North Dakota, pursuant to the authority set forth in the Constitution and laws of the State, hereby affirms the Northern Plains Unmanned Systems Authority, (the Authority) to oversee the operation of the Northern Plains Unmanned Aircraft Systems Test Site.

The mission of the Authority is to oversee operation of a UAS test site for the integration of unmanned systems into the national airspace in a manner that is consistent with public safety and privacy and that is organized to allow full participation by private enterprise, public and private research organizations, and educational institutions.

The Authority consists of nine voting members:

1. The Lieutenant Governor, who shall serve as chairman of the Authority;
2. The University of North Dakota Vice President for Research and Economic Development;
3. The North Dakota State University Vice President of Research and Creative Activity;
4. The Director of the North Dakota Aeronautics Commission;
5. The Commissioner of Commerce or the Commissioner's designee;
6. The Adjutant General or the Adjutant General's designee;
7. An individual appointed by the Governor from a list of at least three names provided by the North Dakota Aviation Association, who shall serve at the pleasure of the governor for three- year terms of service;
8. The Director of the North Dakota Department of Transportation or the Director's designee and,
9. The Chief Information Officer or the CIO's designee.

The Authority shall determine the qualifications for a test site director and determine the services required for operation of the test site. The authority shall review and approve operational policies for the unmanned aircraft systems national test site for the purposes of promoting a safe environment of opportunity for research, development, training, and testing in North Dakota and assisting North Dakota businesses in identifying and developing markets for products and services related to unmanned aircraft systems.

An Executive Committee comprised of the Lieutenant Governor, the University of North Dakota Vice President for Research and Economic Development and the Director of the Aeronautics Commission will be responsible for routine guidance of the National Test Site Director regarding day-to-day operations.

The Authority shall report annually to the Governor regarding its activities and those of the relevant programs. The Authority shall operate according to by-laws approved by the Authority.

This order is issued pursuant to the following authority and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Sections 1 and 7 of the North Dakota Constitution; and,
2. The Governor is vested with statutory authority to promote the development of commerce in aerospace by Chapters 54-60 and 54-65 of the North Dakota Century Code.

This Order consolidates the operative language in Executive Orders 2013-08 and Executive Order 2016-06. For this reason, these Executive Orders are no longer necessary and are hereby rescinded.

This Order is effective immediately and will remain in effect until rescinded.

Executed at the State Capitol in Bismarck, North Dakota, this 25<sup>th</sup> day of June, 2021.

  
Doug Burgum, Governor

ATTEST:

  
Al Jaeger, Secretary of State

  
Jim Silrum, Deputy Secretary of State