

Senate Human Services | Chair Sen. Judy Lee

Testimony of Jace Beehler on HB 1118

Tuesday, March 30, 2021

10:00am

Madam Chair, members of the Senate Human Services Committee, my name is Jace Beehler and I serve as Chief of Staff to Governor Burgum and Lt. Governor Sanford. I provide testimony today in opposition to HB 1118.

Over the past year, North Dakota has ranked among the top states for managing the pandemic and balancing lives and livelihoods. North Dakota consistently ranked in the top three states for testing per capita, our economy remained one of the most open, education was nearly uninterrupted and, as of yesterday, North Dakota ranked 3rd in the country with 90.89% of distributed doses of vaccine administered. We are making significant progress toward community immunity with 39.1% of the population having received at least one dose of the vaccine.

The success of our state has come with the current processes and procedures in place for state leadership to respond to all types of emergencies. Over the last 14 months, I have had the opportunity to speak with most of you in this room and many of your colleagues about varying concerns, questions and ideas to better respond to the health crisis.

While we may disagree on specific actions taken during the pandemic or certain mitigation measures that were implemented, it is critical that when reviewing the processes for emergency response, we think about the unintended consequences of any proposed policy changes and work to provide our state, local officials and all of Team ND the tools, resources and flexibility they need.

During this legislative session, there have been over 55 bills directly related to the pandemic in some form or another. Three of these bills are directly related to the process of emergency response and the authority of the governor to declare emergencies. SB 2124, HB 1495, and this bill, HB 1118 appear to be reactions, not to the process used to respond to emergencies, but to disagreements with specific mitigation measures for a once-in-100-year event.

While we do not believe changes need to be made to the process that has served North Dakota well in this emergency and in the emergencies from decades past, we urge the committee to focus on how we can provide the greatest level of flexibility and the quickest access to tools and resources for those on Team ND working to serve the citizens of this great state.

HB 1118, while impacting the process for the emergency response, is the least intrusive of the bills being considered and is balanced in multiple ways. First, it limits the changes to only emergencies directly related to public health. Second, it provides a process and optionality for the executive branch to work with legislative management if there is debate about the need for

a special session. Third, it does not limit the ability for the Governor to respond if an emergency would re-emerge following the most recently declared disaster.

While we do not believe there is a need for changes to the emergency response authority, I urge this committee to ensure we end the session with policy that is not simply a reaction to a once-in-100-year event. Madam chair, I would be happy to work with the committee and any legislators to discuss the merits of this bill and how it compares to the current process and the processes proposed in HB 1495 and SB 2124.

With that, I would be happy to answer any questions you may have.