

HOUSE BILL 1409
Testimony of Todd D. Kranda
House Judiciary Committee

- February 12, 2025 -

Chairman Klemin and members of the House Judiciary Committee, for the record, my name is Todd D. Kranda, I am an attorney with the law firm of Kelsch Ruff Kranda Nagle & Ludwig law firm in Mandan, ND. I am appearing before you as a lobbyist on behalf of the North Dakota Petroleum Council.

The North Dakota Petroleum Council represents more than 550 companies involved in all aspects of the oil and gas industry, including oil and gas production, refining, pipeline development, transportation, mineral leasing, consulting, legal work, and oilfield service activities in North Dakota, South Dakota, and the Rocky Mountain region.

The North Dakota Petroleum Council is opposed to HB 1409 which proposes to add a new section to the general provisions for Title 32 NDCC, judicial remedies, under Chapter 32-01 NDCC (copy attached with ND Rules of Civil Procedure for “parties”) regarding “interest” which appears to broadly expand who might be a party deemed to have standing to commence litigation proceedings in North Dakota.

North Dakota already has sufficient and adequate rules to address who has an interest or standing to seek a legal remedy, namely a sufficient connection to and harm from the law or action being challenged to support a party’s participation in the litigation. Standing is an essential prerequisite for a party to seek a court action for a decision, and prevents an individual or group from pursuing litigation unless impacted and affected.

The changes proposed in HB 1409 are unnecessary and could actually create uncertainty, legal confusion, and unintended consequences. HB 1409 could greatly expand litigation activity in ND courts which already have a reasonable and fair determination process as to who might have standing, namely an interest sufficient to be a party in litigation.

The North Dakota Petroleum Council opposes the passage of HB 1409 and urges this committee to give HB 1409 a **Do Not Pass Recommendation**. Thank you for the opportunity to provide this information. I would be happy to try to answer any questions.