

My name is Scott Williams. I currently serve as General Manager and license holder for Red River Security, based in Grand Forks. I want to relay my thoughts on SB 2051.

I am deeply disturbed by the board's actions surrounding SB 2051, and alarmed at their lack of candor, not only with license holders, but also with Senate and House Committees.

In January, Executive Director Shorey appeared before the Senate Committee. When asked if had notified license holders and agencies of the proposed change, his response was "the talk is out there." Maybe that was true with board members and some members of the industry, but it was certainly not true with me. I learned of this bill through a colleague in Fargo and was immediately concerned. Should a regulating body want to raise fees, I would think they have a duty of candor to the members they regulate and supposedly serve to inform them of the intent to raise fees, or "raise the fee ceiling" as it has been artfully put.

Mr. Shorey also complains that if the fee increase potential would be brought to license holders, they will immediately ask how much the fees are projected to increase by, and he won't have an answer. This seems like a standard question for any regulatory body to have to answer from its constituency, yet Mr. Shorey seems averse to even having the conversation and working with license holders, opting instead to ambush us with the green light from the legislature, then hiding behind the justification of "it's only a fee ceiling" while they work through the administrative rules.

It's true, the board meets at least quarterly. However, there are no emails that go out to license holders inviting them to these meetings or reminding them of when they are. Further, no minutes have been published in years, so if a meeting is missed, the entire content of that meeting is lost. Further, should a fee increase even be on the table, I would think the board has a duty of candor to invite all license holders to that meeting to discuss the potential for increase and the amount of said increase. But we heard nothing.

As has been said before, many of us in the security and investigation industry have expired licenses and have for years. ED Shorey has said that every time he has promised a time frame to clear the backlog, something else comes in which pushes it further back. His own testimony would seem to contradict this, as he has said the board has no money to engage in enforcement action, so it doesn't get done.

As it stands now, I do not trust the board, its director, or its attorney. With no communication from anyone from a board that is supposed to not only regulate the industry, but also advocate for it, I have seen no regulation or advocacy in years. Therefore, I must wonder how the board supervises Mr. Shorey, as well as how Mr. Shorey spends his time and the board's money.

Mr. Shorey and others in favor of this bill also spoke of other states fees. Minnesota, for example, was highlighted. What wasn't mentioned is that Minnesota's renewal is every two years, not every year. Further, Minnesota also has no fees to certify applicants/renewals for armed, only the number of employees.

I believe another example of those in favor of SB 2051 being disingenuous is speaking of vetting checking backgrounds costing money: these fees are paid by the agency licensing the applicant. They are paid to the board and the board then pays ND BCI. The board also charges a fee for their time, which is understandable. Where exactly is the board spending money on applications? Certainly, a percentage requires additional work, but to claim that the board is hemorrhaging money because of this seems hyperbolic.

Members of the Committee, I urge you to issue a DO NOT PASS recommendation on SB 2051. I also urge you to call for an audit of the ND PISB.