



JUDICIARY COMMITTEE

Wednesday, April 1, 2026
Roughrider Room, State Capitol
Bismarck, North Dakota

Senator Janne Myrdal, Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators Janne Myrdal, Ryan Braunberger, Jose L. Castaneda, Claire Cory, Dick Dever, Diane Larson, Dean Rummel; Representatives Nels Christianson, Liz Conmy, Karla Rose Hanson, Lawrence R. Klemin, Ben Koppelman, Gregory Stemen, Bill Tveit, Steve Vetter

Member absent: Representative TJ Brown

Others present: Casey Orvedal, Legislative Council, Bismarck
Aaron Birst and Donnell Preskey, North Dakota Association of Counties; Colby Braun and Tom Erhart, Department of Corrections and Rehabilitation; Tim Curry* and Emily King,* Fines and Fees Justice Center; Stephanie Dassinger Engebretson, North Dakota League of Cities; Travis Finck, Commission on Legal Counsel for Indigents; Jennifer Heinert, Burleigh County Sheriff's Department; Sally Holewa, Kelly Hutton and Don Wolf, Supreme Court; Aaron Hummel, Attorney General's office; Bruce Johnson, Racing Commission; Scott Meske, North Dakota Gaming Alliance; Aaron Olson, Department of Health and Human Services; Robert Vallie, Cass County

See [Appendix A](#) for additional persons present.

**Attended remotely*

It was moved by Senator Dever, seconded by Representative Stemen, and carried on a voice vote that the minutes of the December 18, 2025, meeting be approved as distributed.

CHARITABLE GAMING STUDY

Mr. Casey Orvedal, Counsel, Legislative Council, presented a memorandum entitled [Ownership of Alcoholic Beverage Establishments by Charitable Gaming Organizations Study - Background Memorandum](#).

Mr. Aaron Hummel, Director, Gaming Commission, Attorney General's office, presented information regarding the state's role in regulating charitable gaming organizations. He noted:

- Adjusted gross proceeds from all charitable gaming organizations in the state total approximately \$285 million.
- Approximately \$243 million in proceeds is generated from electronic pull tab machines.
- Charitable gaming organizations are permitted to allocate up to 60 percent of their proceeds toward gaming-related expenses.

Ms. Stephanie Dassinger Engebretson, Deputy Director and Staff Attorney, North Dakota League of Cities, presented information ([Appendix B](#)) regarding city licensing requirements for charitable gaming organizations.

In response to questions from committee members, Ms. Dassinger Engebretson noted a city or county may deny a site authorization only pursuant to an ordinance or a written policy adopted or amended following an opportunity for public comment. She noted the requirement to adopt a written policy is a step in the right direction and provides notice to interested charitable gaming organizations.

Mr. Aaron Birst, Executive Director, North Dakota Association of Counties, presented information regarding county licensing requirements for charitable gaming organizations. He noted although counties have not broadly adopted policies governing charitable gaming organizations, counties recognize the importance of maintaining local control over site selection.

Mr. Scott Meske, Lobbyist, North Dakota Gaming Alliance, presented information ([Appendix C](#)) regarding potential legal challenges charitable gaming organizations could raise if legislation were enacted to prohibit charities from acquiring property.

In response to questions from committee members, Mr. Meske noted the decision of whether a charitable gaming organization should own an alcoholic beverage establishment should be left to each individual organization. He noted while not every organization that shows interest ultimately pursues such ownership, there is a growing trend of organizations choosing to own an alcoholic beverage establishment.

FINES AND FEES STUDY

Ms. Emily King, Senior Advocacy and Campaigns Strategist, and Mr. Tim Curry, Policy and Research Director, Fines and Fees Justice Center, presented information ([Appendix D](#)) regarding the impact of fines and fees on recidivism and criminal defendants.

Mr. Don Wolf, Finance Director, Supreme Court, presented information ([Appendix E](#)) regarding an update on court fees and the priority of funds collected by clerks of court.

Ms. Donnell Preskey, Government and Public Relations Specialist, North Dakota Association of Counties, on behalf of the North Dakota Sheriffs and Deputies Association, presented information ([Appendix F](#)) regarding an update on fines and fees relating to the 24/7 Sobriety Program.

In response to questions from committee members, Ms. Preskey noted a survey was sent to all 53 counties requesting information on monthly 24/7 Sobriety Program fees and only 27 counties responded. She noted ample time was provided and multiple reminders were sent to counties that had not responded to the survey.

In response to questions from committee members, Ms. Jennifer Heinert, Deputy Sheriff, Burleigh County Sheriff's Department, noted Burleigh County uses on-site breath testing for 24/7 Sobriety Program participants whose fees were waived because it is more cost-effective for the county.

Mr. Travis Finck, Executive Director, Commission on Legal Counsel for Indigents, presented information regarding the waiver of 24/7 Sobriety Program fees and potential constitutional concerns associated with requiring mandatory payment of those fees as a condition of pretrial participation.

Mr. Robert Vallie, Cass County, presented information regarding court fines and fees.

PRETRIAL SERVICES STUDY

Mr. Tom Erhardt, Director, Parole and Probation, Department of Corrections and Rehabilitation, presented information ([Appendix G](#)) regarding an update on the pretrial services study.

In response to questions from committee members, Mr. Erhardt noted pretrial services is a better option than release on bond because pretrial services provides supervision by trained personnel for sex offenders, violent offenders, and other offenders who may pose a risk to public safety.

SENTENCING, CORRECTIONS, AND PAROLE STUDY

Mr. Colby Braun, Director, Department of Corrections and Rehabilitation, presented information regarding the design of the new 600-bed facility and honor dorm.

REPORTS

Mr. Bruce Johnson, Executive Director, Racing Commission, provided a report ([Appendix H](#)) on the operation of the commission and the liability of charitable organizations that receive and disburse money handled through account wagering.

In response to questions from committee members, Mr. Johnson noted the online betting platform, Lien Games Racing, has received a cease and desist letter regarding the wagering of greyhound racing in North Dakota.

Mr. Aaron Olson, State Hospital Superintendent, Department of Health and Human Services, provided a report ([Appendix I](#)) regarding the services provided by the Department of Corrections and Rehabilitation relating to individuals at the State Hospital who have been committed to the care and custody of the Commissioner of the Department of Health and Human Services.

In response to questions from committee members, Mr. Olson noted the State Hospital has been working closely with Parole and Probation on a pilot program designed to provide treatment services to offenders under the custody of the Department of Corrections and Rehabilitation.

Ms. Kelly Hutton, Deputy State Court Administrator, Supreme Court, provided a report ([Appendix J](#)) on the status of the program to assist rural counties and municipalities in recruiting attorneys.

In response to a question from a committee member, Ms. Sally Holewa, State Court Administrator, Supreme Court, noted the intent of the program was for cities and counties to actively recruit new attorneys; however, in practice, local attorneys are contacting the city or county to pursue prospective candidates.

Mr. Austin Gunderson, Counsel, Legislative Council, presented a memorandum entitled [Presidential Executive Orders April 12, 2024, through March 20, 2026](#), regarding executive orders issued by the President of the United States, which have not been affirmed by a vote of Congress and signed into law.

COMMITTEE DISCUSSION

The committee requested Mr. Gunderson to create a bill draft to establish uniform definitions and to clarify the responsibilities of the Department of Corrections and Rehabilitation regarding sentencing and incarceration of individuals committed to the department's custody and control.

No further business appearing, Chairman Myrdal adjourned the meeting at 2:30 p.m.

Austin Gunderson
Counsel

ATTACH:10