



House Government and Veterans Affairs Committee

HB 1306

February 6, 2025

Representative Austen Schauer, Chair

Summary:

- The City of Bismarck **opposes** the amendment allowing each citizen the entitlement of one free records request per year which does not exceed 40 hours to produce.
- 40 hours of un-funded staff time for each request could severely hamper workflow and significantly compromise the amount of work produced by municipal government staff.

Testimony:

Chairman Schauer and Members of the House Government and Veterans Affairs Committee:

On behalf of the City of Bismarck, I am Jason Tomanek, City Administrator and today I offer testimony in **opposition** to HB1306.

The City of Bismarck strongly supports access to information and records by all members of the public. The current regulations are adequate by allowing an hour of staff time at-no-charge to an individual requesting public records. The current rate set by North Dakota Century Code 44-04-18 of \$25 for each hour beyond the first hour provides a portion of the expenses associated with records requests.

The current regulations and practices associated with open records requests collectively requires thousands of hours of staff time each year throughout our organization. While the City of Bismarck supports access to public records; frequent and voluminous requests regularly disrupt the work of many City staff whose primary roles are compromised by in-depth records requests which require immediate attention causing other tasks to become secondary or unattainable. Providing each resident with up to 40 hours of staff time without any financial support resulting from the work would significantly compromise the professional work required of many individuals throughout our organization, and the state of North Dakota.

The City of Bismarck respectfully requests a **Do Not Pass** recommendation on HB 1306 as it would significantly, and negatively impact the ability of City staff to effectively manage their workload, projects, and primary responsibilities on a day-to-day basis and cause a deterioration of the level of service our residents and business owners have come to expect from the Capital City of North Dakota.

Respectfully,

Jason Tomanek, City Administrator

City of Bismarck

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