

To: Chairman Schauer & House Veterans & Government Affairs Committee Members

From: Katie Paulson McKenzie County Recorder/Tax Director

February 6, 2025

Re: HB 1306 Open Records Requests

Chairman Shauer and Committee Members, my name is Katie Paulson and I currently serve the citizens in McKenzie County as their elected Recorder and appointed Tax Director. I am here in opposition to HB 1306 which will mandate all county offices to offer 40 hours of free searching in regards to open records requests.

The current statute that mandates how government handles open records requests is sufficient as it is written. As an officer that handles all the permanent land records in my county as well as the property record cards, assessment information, exemptions, marriage records, and tax rolls I feel that changing the law to mandate that we allow each citizen to have 40 free hours of labor is excessive and not practical. Our office handles open records and access to open records every single day. Our goal is to allow folks access and copies of the records that they need to do many things outside of our office. My staff is always helpful and accommodating to the customers no matter where they live and strive to help them receive the needed materials. I think it is fair the way the current statute is written that allows us to search for 1 hour at no charge, and then if there is more time needed to complete the request, we can estimate and charge the individual or company the \$25 hourly fee. Most of the time we can find the requested information during the covered 1 hour and the \$25 fee never comes up.

McKenzie County is one of the oil producing counties, so over the last decade we have had numerous title companies, landmen, attorneys, and right-of-way agents research in our office, access our records through our website, or call us for specific information. Some of the research takes many hours, and I fear that approving this bill would open counties up to have to provide 40 hours for each

local employee annually the research that they should be handling on their own. I can only imagine that we would hardly be able to keep up with managing, tracking, and carrying out this sort of burden. We aren't even able to ask who is requesting the record if it isn't offered. Some of the companies that work in our county have many employees that could individually request this sort of service. This will cause our office to struggle to maintain the daily work in relation to the services that we have to offer already. If we have to hire additional staff to keep up with this, is the state legislature going to allocate funds in order for counties to maintain staffing levels to comply? We are a dual office so in addition to the land records, we also carry out the duties for tax equalization. I do this with 4 people and we can manage and it is a benefit to our taxpayers. This law would likely have me requesting for more staff.

I am dedicated to continue to provide access, information, and reasonably requested records from my office to all people that benefit from them. This law would provide unfunded and additional burden to our county, and also will contradict the rule about anonymous requestors. I have never heard from our customers that they are frustrated with open records in North Dakota. Let's not create more problems where there isn't an issue.

Thank you for your time and consideration. I urge you to vote **"Do Not Pass"** on **HB 1306**.

Sincerely,

Katie Paulson McKenzie County Recorder/Tax Director