



# North Dakota House of Representatives

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## Representative Emily O'Brien

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## COMMITTEES:

Appropriations  
Appropriations - Human Resources Division

01/30/2025

## House Bill 1434

### House Political Subdivisions Committee

Chairman Longmuir and Members of the Political Subdivisions Committee,

For the record, I am Representative Emily O'Brien; I represent District 42 in Grand Forks.

Before you is House Bill 1434, this bill's intention is to improve independent regulatory reviews within the state of North Dakota's Administrative Rules. Burdensome government regulations have imposed substantial obligations on businesses, workers, and citizens. These growing layers of red tape have discouraged growth, limited opportunity, and are especially challenging for small businesses.

All too often, government agencies fail to recognize that many of their regulations are harmful or unnecessary and refuse to follow legislative and regulatory branch requirements. To make matters worse, bureaucracy and unaccountability within these agencies have acted without the approval or knowledge of the legislature. While they may be well intended, we often hear of unintended consequences.

The way this bill is originally written: Section 1 lays out the force and effect of rules. Page 1, Line 14 - would make the rule expired one year after determined by the Governor. Section 2 would provide an expiration of administrative rules - on January first ten years after its effective date as published by Legislative Council in Administrative Rules. Gives the Governor authority to provide the notice of expiration to the commission or agency one year before the expiration date, organize and publish a table with the rule and expiration date, review a rule before it expires, adopt rules in accordance within this chapter to implement the rule expiration, the agency or the commission shall provide to the governor a report to facilitate the review process, and the governor may exempt a rule from the requirements or grant an extension to an agency or commission.

Over the last two weeks, I have had conversations with the Governors' Office, Ethics Commission, Lignite Energy Council and Public Service Commission. It is not the intention of this bill to create additional unintended consequences within those entities or other entities that are here or not here testifying today.

Long story short - my intention is to ease the burden of regulations that are imposed on businesses, workers, and citizens. If there are administrative rules that are dated or not utilized - can we remove them? Or do we still need them for safeguard reasons? Are there administrative rules that are consistently utilized and should be moved to the Century Code? Are there administrative rules that just simply must stay in administrative rules? Are there internal policies within agencies or commissions that have created added levels of bureaucracy that make it more difficult? Can we simplify this and put our money where our mouth is and marketing tactics to recruit businesses, workers, and citizens to come live, work and play in North Dakota. We are always advertising North Dakota is open for business - but, are we? Unless we agree or disagree with the business, it competes with our business or industry, our friend's business, or you simply don't agree with it. We can simultaneously ease the burdens and be mindful that there still needs to be rules and regulations to maintain their effectiveness and consistency.

Additionally, as of last evening, I am aware of another bill that could possibly be a sister bill - which is House Bill 1442 - which would create a legislative committee on government efficiency. Luckily, the prime sponsor of this bill and Chairman where that bill will be introduced serve on this Political Subdivisions committee. I hope to have a conversation with the prime sponsor of House Bill 1442 with the goal to have the newly created legislative committee on government efficiency (as long as it is signed into law) to tackle the regulatory review laid out in House Bill 1434, and the proposed amendments I have received thus far from Ethics Commission, PSC, and Lignite Energy Council to alleviate their concerns.

**I am requesting some additional time to work with the prime sponsor of House Bill and Chairwoman of Administrative Rules, and Legislative Council to have appropriate procedures and protocols with the desired outcome of efficiency, are not overburdensome and are truly necessary.**

That concludes my testimony. Thank you, Chairman Longmuir and members of the committee.