

Testimony of Steve Lundin
Senate Bill No. 2266
Senate Industry and Business Committee
February 5th, 2025

Chairman Barta and members of the Committee, thank you for the opportunity to comment on Senate Bill 2266. My name is Steve Lundin, I am a retired Sergeant from the Bismarck Police Department. I currently own a private investigations and security company that is licensed in North Dakota; and I was appointed by Governor Burgum to the North Dakota Private Investigative and Security Board in 2020, where I currently have the privilege of serving as the Vice-Chairman of the NDPI SB. I am here today to respectfully ask the members of this committee to make a “Do Pass” recommendation on SB 2266, and to answer any questions you may have as a Board member of the NDPI SB, as well as a member of the industry that the NDPI SB is mandated to regulate.

COMMENTS ON BILL DRAFT

As Mr. Shorey previously stated, the NDPI SB is one of the few occupational licensing Boards in North Dakota that have jurisdiction over unlicensed activity. The Board regards unlicensed activity as a major public safety concern and responds accordingly. This includes initiating investigations and taking enforcement action when appropriate. The Board does not receive annual appropriations to fund our ordinary business operations. All funding is derived from licensing and certification fees the Board assesses licensed security and investigations providers in the State of North Dakota. Unfortunately, the financial aftermath of the DAPL protest was anything but ordinary Board expenses. It was extraordinary.

First, I would like to comment on what I feel is the necessity of the mandate that the NDPI SB has been given. Through our licensing and certification, and investigative and regulatory functions we are often the last line of defense to prevent unlicensed security and investigations from happening in our communities. This unlicensed activity often includes companies and individuals that will attempt to carry firearms while conducting unlicensed activity, presenting a clear and present danger to our communities, and law enforcement officers that may be called upon to make contact with these individuals. During the DAPL protests I saw firsthand the “worst case scenario” to unlicensed security and investigations activity in our State. The national attention that the DAPL protest situation received made North Dakota the focal point for security companies from all over the country who only sought to make a quick profit off a tragic situation in our community, with no regard to following our licensing laws and regulations. As a licensed security company owner heavily involved in providing legitimate services during the DAPL protest, I saw firsthand how many companies attempted to come into North Dakota with no regard to our licensing requirements. I also saw firsthand other companies that came in and worked with the NDPI SB to properly comply with our licensing requirements. And I have no doubt that countless others made the decision not to even attempt to provide services in North Dakota because of the mandate that the industry knows the NDPI SB has to investigate unlicensed activity.

Prior to the financial impact and burden the Board experienced from carrying out its mandated functions during the DAPL protests the Board was operating with a surplus of funding in savings. Fees and certification revenue was sufficient to ensure the solvency of the Board under ordinary operating conditions. The DAPL protests ended in 2017, however, even when I joined the Board in May of 2020 the Board was still heavily engaged with the legal aftermath of that situation. I have seen firsthand the hundreds of hours that Mr. Shorey and fellow Board members were required to commit outside of their ordinary duties to work with outside agencies and legal counsels to find remedies to ongoing litigation and administrative actions. I participated in Board decisions that required us to utilize our funds kept in savings to continue to deal with the final impact of these on-going litigations and administrative actions. The funds that Mr. Shorey has outlined today, and that we are asking for in a one-time grant appropriation in SB 2266, are only a small portion of the financial impact the Board has truly suffered.

During the 69th Legislative Assembly the Board is taking a proactive approach to ensure future solvency in addition to the funds requested in SB 2266; including SB 2051 which I provided comments to this committee on previously that received a “Do Pass” recommendation from this committee in January, and HB 1045 which received a “Do Pass” recommendation from the House Industry and Business Committee in January. While these other pieces of legislation will help to ensure the long-term solvency of the Board without the need for future appropriations, the funds we are requesting in SB 2266 are a necessary short-term action that will help the Board recover some of the funds spent on the extraordinary expenses caused by the DAPL protest and its legal aftermath. These funds will ensure Mr. Shorey has the resources required to continue to provide our mandatory regulatory services until we can realize the additional funding that will be generated from our long-term solutions. The Board feels that with the appropriation of these funds the Board will be able to overcome the projected short-term financial shortfall. And we believe strongly that because of the extraordinary financial impact that the DAPL protest situation placed on the Board, that the State Disaster Relief Fund would be an appropriate funding mechanism for this one-time grant appropriation

remedy.

I am proud to serve as a Board member of the NDPIBS. I remain committed to fulfilling the mandate that the State of North Dakota has given us in regulating the security and investigations industry operating in our State. I hope you will join me in re-affirming the State's commitment to protecting the citizens of North Dakota from unregulated security and investigations activities in our communities; and encouraging others to not be afraid to serve our State on these occupational licensing boards by voting for a "Do Pass" recommendation on SB 2266.

Chairman Barta and members of the Committee, thank you for the opportunity to participate in the legislative process and appear before this committee again to provide testimony in support of SB 2266. Thank you for your service to the citizens of North Dakota. I would be happy to answer any additional questions you may have.

A handwritten signature in black ink, appearing to read "Steve Lundin".

Steve Lundin

Vice-Chairman, North Dakota Private Investigative and Security Board