

House Bill 1063

Presented by: Sheri Haugen-Hoffart, Commissioner
Public Service Commission

Before: Senate State and Local Government
The Honorable Kristin Roers, Chair

Date: March 20, 2025

TESTIMONY

Chair Roers and Members of the Committee, my name is Sheri Haugen-Hoffart, Commissioner of the Public Service Commission, and I appreciate the opportunity to testify today on HB 1063.

As you know, the Public Service Commission is subject to open meeting laws. This means that whenever two commissioners are present in the same location where public business is being conducted, the agency must comply with the requirements of open records laws unless there is an exception under chapter 44-04 (*e.g. social gatherings, national association meetings, and training seminars*). The requirements include:

- Posting notice at the Commission office,
- Posting a physical notice at the meeting location on the day of the event,
- Filing notice with the Secretary of State,
- Posting notice on the agency website, and
- Recording minutes of the gathering.

Importantly, this obligation applies even when two commissioners are simply attending a meeting or presentation to observe without participating. As a

result, the Commission has gone to great lengths to avoid situations where two commissioners might unintentionally trigger these administrative requirements. This has led to some impractical and occasionally uncomfortable situations.

HB 1063 reinforces the Commission's commitment to transparency and open meeting requirements while introducing two reasonable exceptions:

1. Legislative Committees:

The bill exempts the Commission from open meeting requirements when attending legislative committee meetings. These meetings are already publicly noticed, video recorded, and well-documented. Requiring additional notices and minute recordings in this context is redundant and unnecessary.

2. Physical Notice at Non-Commission Locations:

When two commissioners attend events at locations not directly under the Commission's control—such as federal buildings, hotels, or other venues—the bill removes the obligation to post a physical notice at the venue. The Commission will still post notices online and with the secretary of state. This change addresses past challenges where compliance created awkward or impractical scenarios.

Chair Roers, that concludes my testimony. Thank you for your time and consideration. I am happy to answer any questions you may have.