

SB2258

Chair Roers and members of the committee. My name is Todd Beard. I am the Senator from District 23 serving the Williston and Trenton area.

SB2258 would create a new section of code that would ensure state government agencies are applying rules and law specified under North Dakota century code or administrative rules. This bill would require a state agency to specifically reference any rule or law they are enforcing upon a citizen or entity. The premise of this bill is simple in that just like any citizen within the state is accountable to our rules and laws so must the state agencies follow rules and laws.

Subsection one of the bill would declare a state agency to specify the rule or law they are enforcing.

Subsection 2 of the bill would declare that if an agent of an agency or the agency exceeds its authority, the governor's office would need to be notified.

Subsection 3 of the bill would allow a citizen to file a complaint with the governor's office.

Subsection 4 of the bill would require the governor's office to investigate the matter, determine any disciplinary action required and make a record of the violation. Also, in subpart C the Governor's office would report the number of violations and agencies involved to the Administrative Rules Committee.

Subsection 5 would allow the Administrative Rules Committee to request any records pertaining to violations on record with the governor's office.

I would also ask the committee to consider an amendment to this bill and simply add a subsection 6 that would exempt state agencies which are overseen by elected officials. Since the elected officials are already directly accountable to the public, they should be exempted. This bill therefore would only pertain to state agencies under the direct control and authority of the governor's office.

Thank you for your consideration and ask for a DO PASS recommendation on SB2258. I stand for any questions.