

TESTIMONY OF

Tag Anderson, Risk Management Division Director

Chairman Burckhard, and members of the Senate Political Subdivisions Committee, my name is Tag Anderson. I am the Director of the Risk Management Division of OMB. I appear today in support of HB 2068.

This legislation clarifies that when a public official employed by a political subdivision is being removed from office by the Governor pursuant to N.D.C.C. Chapter 44-11, the political subdivision that employed the official is responsible for the costs, including attorney's fees, in prosecuting the removal. This issue was recently litigated resulting in a North Dakota Supreme Court decision, holding that the State was responsible for the costs under the current statute. Because there was no monies appropriated to the Governor's Office or any other agency of state government, the attorney's fees have gone unpaid and are continuing to accrue interest. This legislation would clarify that it is the political subdivision involved that is responsible for payment and avoid delays in the payment of costs, including attorney's fees.

This concludes my prepared remarks and I would be happy to answer any questions you may have.

Thank you.