

Education and Environment Division – House Appropriations Committee

Testimony on Senate Bill 2004

April 18, 2025

Chairman Nathe and members of this subcommittee. I am Murray Sagsveen, a member of the North Dakota Ethics Commission.

The Governor, Senate majority leader, and Senate minority leader appointed me to the Ethics Commission in September 2024, so my experience is based on several meetings over about six months. However, I do have several observations:

First, the statutory process is too cumbersome, so it takes far too long to move a complaint to conclusion. During my first meeting in October, I learned that proposed legislation (later House Bill 1360) and draft rules were designed to streamline and shorten the process; however, the House defeated that bill. The Ethics Commission will now explore possible administrative and regulatory steps, within the statutory constraints, to expedite the complaint resolution process.

Second, Ethics Commission staff estimate there are about 2,500-3,000 individuals who should participate in ethics-related training – legislators, lobbyists, public officials and others. My experience, having recently served on a governor-appointed committee, is that orientation sessions (if any) do not focus on ethics related issues. Ethics training and education is essential to avoid inadvertent ethical violations and to maintain the ethical conduct of state government.

Third, there is insufficient staff to process complaints, conduct investigations, correspond with complainants and respondents, draft orders, staff commission meetings, and provide programs to educate individuals about ethical constitutional, statutory, and rule provisions. Currently, the executive director and general counsel try to balance their time between the complaint and educational processes. Therefore, the Commission is requesting one additional FTE to enhance both the complaint process and the educational program.

Forth, and finally, the budget should include funds for unanticipated legal challenges. At two different hearings this session, I heard a lobbyist warn that one provision of Article XIV of the constitution (the ethics provision) may be challenged.

Thank you. I will answer any questions committee members may have.

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