

**SENATE BILL 2321**  
**Testimony of Todd D. Kranda**  
**Senate Judiciary Committee**

- February 12, 2025 -

Madam Chair Larson and members of the Senate Judiciary Committee, for the record, my name is Todd D. Kranda, I am an attorney with the law firm of Kelsch Ruff Kranda Nagle & Ludwig law firm in Mandan, ND. I am appearing before you as a lobbyist on behalf of the North Dakota Petroleum Council.

The North Dakota Petroleum Council represents more than 550 companies involved in all aspects of the oil and gas industry, including oil and gas production, refining, pipeline development, transportation, mineral leasing, consulting, legal work, and oilfield service activities in North Dakota, South Dakota, and the Rocky Mountain region.

The North Dakota Petroleum Council is opposed to SB 2321 which deals with an award of costs and fees, specifically expert witness fees which are incurred during a condemnation proceeding under Chapter 35-15 NDCC.

North Dakota already has existing laws that adequately address the award of costs, disbursements, and reasonable expert witness fees in litigation matters. North Dakota's existing statutes in Chapter 28-26 NDCC, Costs and Disbursements, already provides the opportunity for the award of the exact type of costs and disbursements, namely reasonable expert witness fees plus actual costs, and other expenses and fees, for all civil cases, including these types of situations involving a condemnation proceeding. The changes proposed in SB 2321 are unnecessary and could actually create uncertainty and legal confusion since North Dakota courts are already applying and awarding such costs and disbursements together with reasonable expert witness fees and expenses.

The North Dakota Petroleum Council opposes the passage of SB 2321 and urges this committee to give SB 2321 a **Do Not Pass Recommendation**. Thank you for the opportunity to provide this information. I would be happy to try to answer any questions.