

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2331

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

SB 2331
2/5/2021

Relating to election of the State Health Officer and Human Services Commissioner.
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Chair Vedaa opened the hearing at 9:01 a.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais present.

Discussion Topics:

- State Health officer position

Sen Heitkamp introduced the bill #5646

Rep Magrum, Dist. 28 - testified in favor

Jan Wangler – Bismarck – testified in favor

Bea Strifel – Bismarck – testified in favor #5657

Dr. Steve Nagel – testified in favor

Courtney Koebele – ND Medical Association - testified opposed #5638

Jace Berger – Chief of Staff to Gov. Burgum – testified opposed

Adjourned at 9:25 a.m.

Pam Dever, Committee Clerk

My name is Senator Jason Heitkamp and I represent the 26th legislative district, Home of the greatest BISON football player to ever play for the Buffalo Bills. Chairman and committee members, I would like to thank all of you for allowing me to address Senate Bill 2331.

Senate Bill 2331 relates to election of the state health officer and human services commissioner. This bill allows the qualified electors of this state to elect a state health officer for a four - year term at the appropriate general election, beginning in 2022. This bill also allows the qualified electors of this state to elect a human services commissioner who must be elected for a four-year term at the appropriate general election, beginning in 2022.

We have seen great power given to the State Health officer and to the Human Services Director in the last year... Maybe they have really had this power for years, but the citizens of the great state of North Dakota just didn't realize that they had it. And the citizens have contacted me and told me, as their legislative representative, that it is time to change the way they are hired. You see, in the state of North Dakota, the citizens want to be able to be represented by people who listen to them and can be held responsible to them. The citizens want to vet them and hire them during an election process.

Political representation is the activity of making citizens "present" in public policy making processes... when political actors act in the best interest of citizens... This definition of political representation is consistent with a wide variety of views on what representing implies and what the duties of representatives are. For example, representing may imply acting on the expressed wishes of citizens, but it may alternatively imply acting according to what the representatives themselves judge is in the best interests of citizens. And representatives may be viewed as individuals who have been authorized to act on the behalf of others or may alternatively be viewed as those who will be held to account by those they are representing.

And Senate Bill 2331 will allow the citizens to elect the state health officer and human services commissioner. The citizens will be represented the way they want to be represented. Just what the citizens have asked for.

Senate Government and Veterans Affairs

Good morning Chair and Committee members – thank you for hearing my testimony today

We pay \$12,600 a month to a person who is not a doctor, not a lawyer, and is appointed by the Governor but can't make a decision unless a 3 doctor panel ok's it and yet can singlehandedly shut down ALL or parts of the state of ND as a failed bureaucrat.

Unfortunately, the people of ND have had to witness the appointment and removal of at least 4 people to this position all while struggling with a supposed pandemic.

I think it is selfish and a possible liability for the Governor to have a person with that much power who is not elected every 4 years by the people.

This person who the Governor appoints to this position has replaced ALL of you in creating legislation. Are you OK with that?

It is WAY past time to give this position back to the decision and the vote of the people of ND.

Bea Streifel

Bismarck ND

**Senate Government and Veterans Affairs Committee****SB 2331****February 5, 2021**

Chairman Vedaa and Committee Members, I am Courtney Koebele, the Executive Director of the North Dakota Medical Association. The North Dakota Medical Association is the professional membership organization for North Dakota physicians, residents, and medical students.

NDMA is opposed to SB 2331. NDMA has concerns about making the state health officer an elected position. Many physicians who would be excellent health officers don't have political interests, experience or skills. Public health, like other health professions, requires a life-time commitment and focus to acquire and maintain expertise. Having to engage in the politics of elections would greatly detract from the time required to focus on the ever-changing science of public health.

Making such a position elected, rather than appointed, changes the essence of the role of a physician. In doing so, he or she now becomes by definition, a politician. This includes campaigns, vetting by political groups based not on expertise, but on pre-election scenarios that may bear little resemblance to the at-hand and ever-changing public health decisions required during one's tenure. Concepts of election and constituency have the potential to sway focus away from medical expertise and best-practice.

Public health must be neutral and be freed as much as possible from politics to effectively and honestly address the health issues of North Dakota. An elected health officer even if non-partisan would bring the politics associated with election processes into the functions of the department to the detriment of the public's health.

We recommend, for the well-being of the citizens of North Dakota, that the State Health Officer remain an appointed physician and not a political figure.

Thank you for the opportunity to testify today. I would be happy to answer any questions.

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Government and Veterans Affairs Committee Room JW216, State Capitol

SB 2331
2/11/2021

Relating to election of the state health officer & human services commissioner.
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Chair Vedaa called to order at 3:46 p.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais present.

Discussion Topics:

- Committee work

Sen K Roers: I move a **Do Not Pass**.

Sen Meyer: I second.

Roll Call Vote: 7 -- YES 0 -- NO -0- ab Motion Passed

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	Y
Senator Kristin Roers	Y
Senator Mark F. Webber	Y
Senator Michael A. Wobbema	Y

Sen K Roers will carry bill

Adjourned at 3:49 p.m.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2331: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)
recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB
2331 was placed on the Eleventh order on the calendar.