

2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1063

2025 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee

Pioneer Room, State Capitol

HB 1063

1/17/2025

Relating to public service commission requirements for open meetings.

11:31 a.m. Chairman Schauer called the meeting to order.

Members present: Chairman Schauer, Representative Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Members absent: Vice Chairman Satrom, Representative Bahl

Discussion Topics:

- Exemptions for open meeting requirements

11:31 a.m. Randy Christmann testified in favor of, and submitted testimony, #29620.

11:39 a.m. Jack McDowell, North Dakota Newspaper and Media, gave neutral testimony.

11:41 a.m. Representative Vetter moved the amendment, LC# 25.8066.01001.

11:41 a.m. Representative VanWinkle seconded the motion.

11:41 a.m. Voice vote passed.

11:42 a.m. Chairman Schauer adjourned the meeting.

Jackson Toman, Committee Clerk

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1 of 1

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1063

Introduced by

Government and Veterans Affairs Committee

(At the request of the Public Service Commission)

- 1 A BILL for an Act to create and enact a new section to chapter 49-02 of the North Dakota
2 Century Code, relating to public service commission requirements for open meetings.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 4 **SECTION 1.** A new section to chapter 49-02 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Public service commission open meetings.**

- 7 Except as otherwise provided by law, a meeting of the public service commission is subject
8 to the requirements of chapter 44-04. A meeting of the public service commission does not
9 include a quorum of members attending a ~~standing~~ legislative committee. The public service
10 commission is exempt from posting notice at the location of a meeting, as required under
11 section 44-04-20, if the meeting was not scheduled or organized by the public service
12 commission.

House Bill 1063

Presented by: Randy Christmann, Commissioner
Public Service Commission

Before: House Government and Veterans Affairs Committee
The Honorable Austen Schauer, Chair

Date: January 17, 2025

TESTIMONY

Chair Schauer and Members of the Committee, my name is Randy Christmann, Commissioner of the Public Service Commission, and I appreciate the opportunity to testify today on HB 1063.

As you know, the Public Service Commission is subject to open meeting laws. This means that whenever two commissioners are present in the same location where public business is being conducted, the agency must comply with the requirements of open records laws unless there is an exception under chapter 44-04 (*e.g. social gatherings, national association meetings, and training seminars*). The requirements include:

- Posting notice at the Commission office,
- Posting a physical notice at the meeting location on the day of the event,
- Filing notice with the Secretary of State,
- Posting notice on the agency website, and
- Recording minutes of the gathering.

Importantly, this obligation applies even when two commissioners are simply attending a meeting or presentation to observe without participating. As a

result, the Commission has gone to great lengths to avoid situations where two commissioners might unintentionally trigger these administrative requirements. This has led to some impractical and occasionally uncomfortable situations.

HB 1063 reinforces the Commission's commitment to transparency and open meeting requirements while introducing two reasonable exceptions:

1. Legislative Committees:

The bill exempts the Commission from open meeting requirements when attending legislative committee meetings. These meetings are already publicly noticed, video recorded, and well-documented. Requiring additional notices and minute recordings in this context is redundant and unnecessary.

2. Physical Notice at Non-Commission Locations:

When two commissioners attend events at locations not directly under the Commission's control—such as federal buildings, hotels, or other venues—the bill removes the obligation to post a physical notice at the venue. The Commission will still post notices online and with the secretary of state. This change addresses past challenges where compliance created awkward or impractical scenarios.

Chair Schauer, that concludes my testimony. Thank you for your time and consideration. I am happy to answer any questions you may have.

2025 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1063
1/23/2025

Relating to public service commission requirements for open meetings
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5:33 p.m. Chairman Schauer opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Discussion Topics:

- Committee work

5:33 p.m. Representative Christy moved Do Pass as amended.

5:33 p.m. Representative Wolff seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Collette Brown	Y
Representative Josh Christy	Y
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	Y
Representative Karen Rohr	AB
Representative Mary Schneider	Y
Representative Vicky Steiner	AB
Representative Lori VanWinkle	AB
Representative Steve Vetter	AB
Representative Christina Wolff	Y

5:34 p.m. Motion passed 10-0-4.

Chairman Schauer will carry the bill.

5:36 p.m. Chairman Schauer adjourned the meeting.

Jackson Toman, Committee Clerk

**REPORT OF STANDING COMMITTEE
HB 1063**

Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS** ([25.8066.01001](#)) and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1063 was placed on the Sixth order on the calendar.

2025 SENATE STATE AND LOCAL GOVERNMENT

HB 1063

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

HB 1063
3/20/2025

Relating to public service commission requirements for open meetings.

9:15 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Two commissioners same location
- Posting notices
- Legislative committees
- Non-commission locations

9:15 a.m. Sheri Haugen-Hoffart, Commissioner Public Service Commission, introduced the bill and submitted testimony #40388.

9:23 a.m. Joshua Schuh, Attorney Public Service Commissioner, testified in favor.

9:23 a.m. Senator Walen moved Amend LC #25.8066.02002.

9:23 a.m. Senator Barta seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	AB
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 5-0-1

9:24 a.m. Senator Barta moved Do Pass as amended.

9:24 a.m. Senator Walen seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	AB
Senator Judy Lee	Y
Senator Chuck Walen	Y

Senate State and Local Government Committee
HB 1063
3/20/2025
Page 2

Motion Passed 5-0-1

Senator Barta will carry the bill.

9:26 a.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk

CO
3/20/25
1 of 1

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED HOUSE BILL NO. 1063

Introduced by

Government and Veterans Affairs Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to create and enact a new section to chapter 49-02 of the North Dakota
2 Century Code, relating to public service commission requirements for open meetings; and to
3 declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-02 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Public service commission open meetings.**

8 Except as otherwise provided by law, a meeting of the public service commission is subject
9 to the requirements of chapter 44-04. A meeting of the public service commission does not
10 include a quorum of members attending a legislative committee. The public service commission
11 is exempt from posting notice at the location of a meeting, as required under section 44-04-20,
12 if the meeting was not scheduled or organized by the public service commission.

13 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1063**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS** ([25.8066.02002](#)) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). HB 1063 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

House Bill 1063

Presented by: Sheri Haugen-Hoffart, Commissioner
Public Service Commission

Before: Senate State and Local Government
The Honorable Kristin Roers, Chair

Date: March 20, 2025

TESTIMONY

Chair Roers and Members of the Committee, my name is Sheri Haugen-Hoffart, Commissioner of the Public Service Commission, and I appreciate the opportunity to testify today on HB 1063.

As you know, the Public Service Commission is subject to open meeting laws. This means that whenever two commissioners are present in the same location where public business is being conducted, the agency must comply with the requirements of open records laws unless there is an exception under chapter 44-04 (*e.g. social gatherings, national association meetings, and training seminars*). The requirements include:

- Posting notice at the Commission office,
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result, the Commission has gone to great lengths to avoid situations where two commissioners might unintentionally trigger these administrative requirements. This has led to some impractical and occasionally uncomfortable situations.

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Chair Roers, that concludes my testimony. Thank you for your time and consideration. I am happy to answer any questions you may have.