

**2025 HOUSE POLITICAL SUBDIVISIONS**

**HB 1374**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Room JW327B, State Capitol

HB 1374  
1/31/2025

A BILL for an Act to create and enact a new section to chapter 44-04 and a new section to chapter 58-03 of the North Dakota Century Code, relating to an open meeting exemption for a board of township supervisors when conducting an onsite inspection.

8:58 a.m. Chairman Longmuir called the meeting to order.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Toman, Warrey

Members Absent: Representative Davis

### Discussion Topics:

- Public notice for onsite inspections
- Current open-meeting laws

9:00 a.m. Representative Lawrence Klemin, North Dakota Representative for District 47, introduced the bill and provided testimony #33101 and #33168.

9:05 a.m. Larry Syverson, Executive Director of the North Dakota Township Officers Association, testified in favor and provided testimony #33148.

9:11 a.m. Representative Warrey moved to Amend and remove "or staff" from page 1 line 12.

9:12 a.m. Representative Jonas seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

9:13 a.m. Motion passed 12-0-1

9:13 a.m. Representative Warrey moved a Do Pass as Amended.

9:13 a.m. Representative Hatlestad seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

9:14 a.m. Motion passed 12-0-1

9:14 a.m. Representative Fegley will carry the bill.

**Additional written testimony:**

Nick West, Chairman of Allendale Township, submitted testimony in favor #31755

9:11 a.m. Chairman Longmuir closed the hearing

*Wyatt Armstrong, Committee Clerk*

January 31, 2025

RS 1/31/25  
1.011

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1374

Introduced by

Representatives Klemin, Fegley, Warrey

Senator Barta

1 A BILL for an Act to create and enact a new section to chapter 44-04 and a new section to  
2 chapter 58-03 of the North Dakota Century Code, relating to an open meeting exemption for a  
3 board of township supervisors when conducting an onsite inspection.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

##### 7 **Township onsite inspections - Exemption.**

8 An onsite inspection conducted under section 2 of this Act is an exempt meeting.

9 **SECTION 2.** A new section to chapter 58-03 of the North Dakota Century Code is created  
10 and enacted as follows:

##### 11 **Onsite inspections - Exempt meeting.**

12 If a township officer ~~or the staff of the township~~ is unable to perform an onsite inspection to  
13 execute a power afforded to a township officer under this title, or the board of township  
14 supervisors is serving as the township officers and the staff of the township, a gathering of the  
15 members of a board of township supervisors to conduct an onsite inspection is an exempt  
16 meeting as defined under section 44-04-17.1. The board of township supervisors shall make  
17 good-faith efforts to provide notice of the inspections to each news medium that has filed a  
18 written request for notice if the request includes the news medium's telephone number. The  
19 notice must be given by telephone or by any other method used to notify the members of the  
20 public body.

**REPORT OF STANDING COMMITTEE  
HB 1374**

**Political Subdivisions Committee (Rep. Longmuir, Chairman)** recommends **AMENDMENTS** ([25.1032.01002](#)) and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1374 was placed on the Sixth order on the calendar.

Testimony Prepared for the  
**House Political Subdivisions Committee**  
January 31, 2025  
By: Nick West PE, Allendale Township Chairman

**RE: Support for HB 1374 – Relating to Open Meeting Exemption for Townships**

Chairman Longmuir and members of the House Transportation Committee, thank you for the opportunity to provide testimony on HB 1374. My name is Nick West, I'm the Allendale Township Chairman and also serve as the Grand Forks County Engineer, and I also serve as the past president and a member of the legislative committee for the ND Association of County Engineers (NDACE).

Townships are always in a precarious situation regarding open meeting requirements. Being there are only three elected supervisors on the board, having two supervisors together is a quorum. Thus, something as simple as having two supervisors conduct a field visit together for a small culvert repair, without notice, is a violation of open meetings laws. The current law makes it difficult for Townships to conduct basic everyday business. This bill would solve this problem for Townships. Townships supervisors are functionally voluntary positions or paid very little, Townships don't have staff, therefore the three supervisors need to inspect, digest, collaborate, coordinate and conduct all aspects of the Township. It would be prudent for the three supervisors to have some ability to meet and conduct daily business without each gathering technically being a public meeting.

Chairman Longmuir and committee members, Allendale Township (of Grand Forks County) would ask for a Do Pass committee recommendation.

Thank you for your time and service to North Dakota, Nick West.



# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Lawrence R. Klemin

District 47  
3929 Valley Drive  
Bismarck, ND 58503-1729  
[lklemin@ndlegis.gov](mailto:lklemin@ndlegis.gov)

## COMMITTEES:

Judiciary, Chairman  
Political Subdivisions

### TESTIMONY OF REP. LAWRENCE R. KLEMIN HOUSE POLITICAL SUBDIVISIONS COMMITTEE HOUSE BILL NO. 1374 JANUARY 31, 2025

Mr. Chairman and Members of the House Political Subdivisions Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill No. 1374. This bill relates to an open meeting exception for a Board of Township Supervisors when conducting an onsite inspection.

The “Sunshine Law” in the North Dakota Constitution requires meetings of governmental bodies to be open to the public unless otherwise provided by law. Article XI, Section 5 provides:

**Unless otherwise provided by law**, all meetings of public or governmental bodies, boards, bureaus, commissions, or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public.

Section 44-04-19 of the North Dakota Century Code provides:

**Except as otherwise specifically provided by law**, all meetings of a public entity must be open to the public. That portion of a meeting of the governing body of a public entity as defined in subdivision c of subsection 13 of section 44-04-17.1, which does not regard public business is not required to be open under this section.

Section 44-04-17.1(5) defines an “exempt meeting” as follows:

5. “Exempt meeting” or “exempt record” means all or part of a record or meeting that is neither required by law to be open to the public, nor is confidential, but may be open in the discretion of the public entity.

The purpose of House Bill 1374 is to allow a Board of Township Supervisors to meet as a group of two or more to conduct an onsite inspection of a problem or issue in the

township without violating the open meeting law – that is to “exempt” the Board of Township Supervisors from the formality of giving public notice and scheduling a public meeting just to do an onsite inspection. According to Section 58-06-06 in the chapter on townships, two of the supervisors constitute a quorum. Consequently, unless exempted by law, whenever two or more of the Township Supervisors meet to inspect a problem in the township, it is an open meeting and must meet the requirements of the open meeting law.

The onsite inspection is limited to doing the inspection. The Township Supervisors cannot conduct any other business. Although the onsite inspection is “exempt”, this bill still requires the Board of Township Supervisors to make a good faith effort to notify any news medium by telephone or other usual method that has requested notice to inform them of the onsite inspection. This bill is modeled after a similar law in the State of Minnesota.

I have also handed out a proposed amendment. The bill refers to the “staff” of the township that might also be involved in the onsite inspection. The townships don’t have a “staff” like Minnesota, so the amendment removes the reference to the “staff” from the bill.

Larry Syverson represents the North Dakota Township Officers Association. He is here to answer any questions that you may have about what might be involved in an onsite inspection and any other questions that you have about townships.

I urge you to recommend “do pass as amended” on House Bill No. 1374.

Rep. Lawrence R. Klemin  
District 47, Bismarck



Support of HB1374

House Political Subdivisions Committee

January 31, 2025

Good morning, Chairman Longmuir and Committee members.

I am Larry Syverson from Mayville. I grow soybeans on my farm in Traill County. I am the Chairman of the Board of Supervisors for Roseville Township in Traill County and the Executive Director of the North Dakota Township Officers Association. NDTOA represents 6,000 Township Officers serving more than 1,400 dues-paying member townships.

When the county or city commission has a meeting and needs to know the status of the highways, roads, or streets, they call on their experts for a report. Their street department, highway department, or maybe even the county or city engineer makes the report upon which the board makes the decisions about what work needs to be done and the cost that will be incurred.

When a township board needs information about the roads under their charge, they do not have experts on the staff to call on. They must survey the roads, inspect the washed-out culverts, check out damaged road signs, and look for other conditions that might deteriorate roads or pose a threat to traffic on those roads. It is their sworn duty to be the custodians of the township assets; the roads and the judicious use of the funds to maintain them are the responsibility of the township supervisors.

It is very common each spring or early summer for township boards to go out and survey the roads for gravel and repair needs. They pile in one of their pickups, drive the roads, and make note of the conditions; then, they determine where the gravel will be spread and if any further work will need to be done. The NDTOA association attorney has long been warning township officers that someone could file an open meetings complaint against them for looking

at their township roads together. Even two officers in a pickup or at the site of a washout constitute a quorum of the board.

Between the several states in NATaT, our national organization, the board members share our state periodicals with our counterparts. Last spring, I was looking through the Minnesota Association of Townships magazine and saw a notation that under their law, township officers had an exemption from the open meetings requirement for just this purpose when they were together acting as the township's staff.

I brought a copy of that Minnesota statute to Representative Klemin and asked if it would be possible to get a similar exemption for North Dakota townships. He indicated that he would submit such a bill on our behalf. We thank Representative Klemin for introducing HB1374, and we support an amendment to remove the words "or the staff of the township" (on line 12), as that phrase could expand the exemption beyond what was intended. It is very rare for townships to have any staff, hence the need for this bill. However, the second phrase, "and the staff of the township" (on line 14), is necessary for the bill.

HB1374 requires notice to a news organization that has filed a written request for this information, similar to the Minnesota statute. I have included that statute on the following page for your reference.

I thank Nick West for submitting his testimony for today. Mr. West is the Grand Forks County Engineer and an active township officer who sees the need to protect township officers performing their custodial duties.

Chairman Longmuir and committee members, thank you for this opportunity to testify today. Please give HB1374 your favorable consideration. This concludes my prepared statement. I will try to answer any questions you might have.

### 366.01 TOWN BOARD POWERS LISTED; FORMAL NAME.

#### Subd. 11. **Open Meeting Law; exemption.**

Chapter 13D does not apply to a gathering of town board members to perform on-site inspections, if the town has no employees or other staff able to perform the inspections and the town board is acting essentially in a staff capacity. The town board shall make good faith efforts to provide notice of the inspections to each news medium that has filed a written request for notice if the request includes the news medium's telephone number. The notice shall be given by telephone or by any other method used to notify the members of the public body.

Q mr i ws xe \$W wwr \$Pe{ w\$1\$==80\$Wi kypv\$  
W wwr

25.1032.01001  
Title.

Prepared by the Legislative Council  
staff for Representative Klemin  
January 29, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1374

Introduced by

Representatives Klemin, Fegley, Warrey

Senator Barta

1 A BILL for an Act to create and enact a new section to chapter 44-04 and a new section to  
2 chapter 58-03 of the North Dakota Century Code, relating to an open meeting exemption for a  
3 board of township supervisors when conducting an onsite inspection.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

##### 7 **Township onsite inspections - Exemption.**

8 An onsite inspection conducted under section 2 of this Act is an exempt meeting.

9 **SECTION 2.** A new section to chapter 58-03 of the North Dakota Century Code is created  
10 and enacted as follows:

##### 11 **Onsite inspections - Exempt meeting.**

12 If a township officer ~~or the staff of the township~~ is unable to perform an onsite inspection to  
13 execute a power afforded to a township officer under this title, or the board of township  
14 supervisors is serving as the township officers ~~and the staff of the township~~, a gathering of the  
15 members of a board of township supervisors to conduct an onsite inspection is an exempt  
16 meeting as defined under section 44-04-17.1. The board of township supervisors shall make  
17 good-faith efforts to provide notice of the inspections to each news medium that has filed a  
18 written request for notice if the request includes the news medium's telephone number. The  
19 notice must be given by telephone or by any other method used to notify the members of the  
20 public body.

**2025 SENATE STATE AND LOCAL GOVERNMENT**

**HB 1374**

# 2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee  
Room JW216, State Capitol

HB 1374  
3/20/2025

Relating to an open meeting exemption for a board of township supervisors when conducting an onsite inspection.
---

9:45 a.m. Chair Roers called the hearing to order.

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

## Discussion Topics:

- Meeting quorum
- Definition of exempt meeting

9:45 a.m. Representative Klemin, District #47, introduced the bill and submitted testimony #43247.

9:51 a.m. Larry Syverson, Chairman Board of Supervisors for Roseville Township and Executive Director ND Township Officers Association, testified in favor, answered committee questions and submitted testimony #43248.

9:57 a.m. Senator Lee moved Do Pass.

9:57 a.m. Senator Walen seconded the motion.

9:57 a.m. Senator Castaneda led discussion regarding confusing language of the bill.

10:00 a.m. Senator Lee rescinded her motion.

10:00 a.m. Senator Castaneda will work on language for an amendment.

10:00 a.m. Chair Roers closed the hearing.

*Susan Helbling, Committee Clerk*

# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



Legislative Assembly

## Representative Lawrence R. Klemin

District 47  
3929 Valley Drive  
Bismarck, ND 58503-1729

*lklemin@ndlegis.gov*

## COMMITTEES:

Judiciary, Chairman  
Political Subdivisions

### TESTIMONY OF REP. LAWRENCE R. KLEMIN SENATE STATE AND LOCAL GOVERNMENT COMMITTEE HOUSE BILL NO. 1374 MARCH 20, 2025

Mr. Chairman and Members of the Senate State and Local Government Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill No. 1374. This bill relates to an open meeting exception for a Board of Township Supervisors when conducting an onsite inspection.

The "Sunshine Law" in the North Dakota Constitution requires meetings of governmental bodies to be open to the public unless otherwise provided by law. Article XI, Section 5 provides:

**Unless otherwise provided by law**, all meetings of public or governmental bodies, boards, bureaus, commissions, or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public.

Section 44-04-19 of the North Dakota Century Code provides:

**Except as otherwise specifically provided by law**, all meetings of a public entity must be open to the public. That portion of a meeting of the governing body of a public entity as defined in subdivision c of subsection 13 of section 44-04-17.1, which does not regard public business is not required to be open under this section.

Section 44-04-17.1(5) defines an "exempt meeting" as follows:

5. "Exempt meeting" or "exempt record" means all or part of a record or meeting that is neither required by law to be open to the public, nor is confidential, but may be open in the discretion of the public entity.

The purpose of House Bill 1374 is to allow a Board of Township Supervisors to meet as a group of two or more to conduct an onsite inspection of a problem or issue in the

township without violating the open meeting law – that is to “exempt” the Board of Township Supervisors from the formality of giving public notice and scheduling a public meeting just to do an onsite inspection. According to Section 58-06-06 in the chapter on townships, two of the supervisors constitute a quorum. Consequently, unless exempted by law, whenever two or more of the Township Supervisors meet to inspect a problem in the township, it is an open meeting and must meet the requirements of the open meeting law.

The onsite inspection is limited to doing the inspection. The Township Supervisors cannot conduct any other business. Although the onsite inspection is “exempt”, this bill still requires the Board of Township Supervisors to make a good faith effort to notify any news medium by telephone or other usual method that has requested notice to inform them of the onsite inspection. This bill is modeled after a similar law in the State of Minnesota.

Larry Syverson represents the North Dakota Township Officers Association. He is here to answer any questions that you may have about what might be involved in an onsite inspection and any other questions that you have about townships.

I urge you to recommend “do pass” on House Bill No. 1374. Thank you.

Rep. Lawrence R. Klemin  
District 47, Bismarck





# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Lawrence R. Klemin

District 47  
3929 Valley Drive  
Bismarck, ND 58503-1729

*lklemin@ndlegis.gov*

## COMMITTEES:

Judiciary, Chairman  
Political Subdivisions

### TESTIMONY OF REP. LAWRENCE R. KLEMIN SENATE STATE AND LOCAL GOVERNMENT COMMITTEE HOUSE BILL NO. 1374 MARCH 20, 2025

Mr. Chairman and Members of the Senate State and Local Government Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill No. 1374. This bill relates to an open meeting exception for a Board of Township Supervisors when conducting an onsite inspection.

The "Sunshine Law" in the North Dakota Constitution requires meetings of governmental bodies to be open to the public unless otherwise provided by law. Article XI, Section 5 provides:

**Unless otherwise provided by law**, all meetings of public or governmental bodies, boards, bureaus, commissions, or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public.

Section 44-04-19 of the North Dakota Century Code provides:

**Except as otherwise specifically provided by law**, all meetings of a public entity must be open to the public. That portion of a meeting of the governing body of a public entity as defined in subdivision c of subsection 13 of section 44-04-17.1, which does not regard public business is not required to be open under this section.

Section 44-04-17.1(5) defines an "exempt meeting" as follows:

5. "Exempt meeting" or "exempt record" means all or part of a record or meeting that is neither required by law to be open to the public, nor is confidential, but may be open in the discretion of the public entity.

The purpose of House Bill 1374 is to allow a Board of Township Supervisors to meet as a group of two or more to conduct an onsite inspection of a problem or issue in the

township without violating the open meeting law – that is to “exempt” the Board of Township Supervisors from the formality of giving public notice and scheduling a public meeting just to do an onsite inspection. According to Section 58-06-06 in the chapter on townships, two of the supervisors constitute a quorum. Consequently, unless exempted by law, whenever two or more of the Township Supervisors meet to inspect a problem in the township, it is an open meeting and must meet the requirements of the open meeting law.

The onsite inspection is limited to doing the inspection. The Township Supervisors cannot conduct any other business. Although the onsite inspection is “exempt”, this bill still requires the Board of Township Supervisors to make a good faith effort to notify any news medium by telephone or other usual method that has requested notice to inform them of the onsite inspection. This bill is modeled after a similar law in the State of Minnesota.

Larry Syverson represents the North Dakota Township Officers Association. He is here to answer any questions that you may have about what might be involved in an onsite inspection and any other questions that you have about townships.

I urge you to recommend “do pass” on House Bill No. 1374. Thank you.

Rep. Lawrence R. Klemin  
District 47, Bismarck

# 2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee  
Room JW216, State Capitol

HB 1374  
3/21/2025

Relating to an open meeting exemption for a board of township supervisors when conducting an onsite inspection.
---

11:18 a.m. Chair Roers called the hearing to order.

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

Members Absent: Senator Braunberger

## **Discussion Topics:**

- Possible amendment language

11:18 a.m. Vice Chairman Castaneda opened discussion and submitted testimony #43441 as a possible amendment.

11:23 a.m. Chair Roers adjourned the meeting.

*Susan Helbling, Committee Clerk*

25.1032.02001  
Title.

Prepared by the Legislative Council  
staff for Senator Castaneda  
March 20, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED HOUSE BILL NO. 1374

Introduced by

Representatives Klemin, Fegley, Warrey

Senator Barta

1 A BILL for an Act to create and enact a new section to chapter 44-04 and a new section to  
2 chapter 58-03 of the North Dakota Century Code, relating to an open meeting exemption for a  
3 board of township supervisors when conducting an onsite inspection.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

##### 7 **Township onsite inspections - Exemption.**

8 An onsite inspection conducted under section 2 of this Act is an exempt meeting.

9 **SECTION 2.** A new section to chapter 58-03 of the North Dakota Century Code is created  
10 and enacted as follows:

##### 11 **Onsite inspections - Exempt meeting.**

12 ~~— If a township officer is unable to perform an onsite inspection to execute a power afforded to~~  
13 ~~a township officer under this title, or the board of township supervisors is serving as the~~  
14 ~~township officers and the staff of the township, a~~

15 1. A gathering of the members of a board of township supervisors to conduct an onsite  
16 inspection under this title is an exempt meeting as defined under section 44-04-17.1 if:

17 a. Township officers are not capable of performing the inspection;

18 b. Township officers are unavailable to perform the inspection;

19 c. A township officer position is vacant; or

- 1        d. Members of the board of township supervisors are serving as township officers or  
2        staff.
- 3        2. The board of township supervisors shall make good-faith efforts to provide notice of  
4        the inspections to each news medium that has filed a written request for notice if the  
5        request includes the news medium's telephone number. The notice must be given by  
6        telephone or by any other method used to notify the members of the public body.

# 2025 SENATE STANDING COMMITTEE MINUTES

## State and Local Government Committee Room JW216, State Capitol

HB 1374  
3/28/2025

Relating to an open meeting exemption for a board of township supervisors when conducting an onsite inspection.

11:24 a.m. Chair Roers called the hearing to order.

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

### Discussion Topics:

- Committee Action

11:25 a.m. Vice Chairman Castaneda opened discussion regarding possible amendment language discussed on 3/21/25.

11:30 a.m. Senator Castaneda moved Amendment LC#25.1032.02003.

11:30 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	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

11:33 a.m. Senator Barta moved Do Pass as amended.

11:33 a.m. Senator Castaneda seconded the motion.

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

Motion Passed 6-0-0

Senator Castaneda will carry the bill.

Senate State and Local Government Committee

HB 1374

3/28/2025

Page 2

11:35 a.m. Chair Roers closed the hearing.

*Susan Helbling, Committee Clerk*



**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

CO  
3/28/25  
10f2

**ENGROSSED HOUSE BILL NO. 1374**

Introduced by

Representatives Klemin, Fegley, Warrey

Senator Barta

1 A BILL for an Act to create and enact a new section to chapter 44-04 and a new section to  
2 chapter 58-03 of the North Dakota Century Code, relating to an open meeting exemption for a  
3 board of township supervisors when conducting an onsite inspection.

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

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Township onsite inspections - Exemption.**

8 An onsite inspection conducted under section 2 of this Act is an exempt meeting.

9 **SECTION 2.** A new section to chapter 58-03 of the North Dakota Century Code is created  
10 and enacted as follows:

11 **Onsite inspections - Exempt meeting.**

12 ~~If a township officer is unable to perform an onsite inspection to execute a power afforded to~~  
13 ~~a township officer under this title, or the board of township supervisors is serving as the~~  
14 ~~township officers and the staff of the township, a~~

15 1. A gathering of the members of a board of township supervisors to conduct an onsite  
16 inspection under this title is an exempt meeting as defined under section 44-04-17.1 if:

17 a. The township does not have staff available that is capable of making the  
18 inspection; or

19 b. The board of township supervisors is serving as the township officers and the  
20 staff of the township.



- 1 2. The board of township supervisors shall make good-faith efforts to provide notice of
- 2 the inspections to each news medium that has filed a written request for notice if the
- 3 request includes the news medium's telephone number. The notice must be given by
- 4 telephone or by any other method used to notify the members of the public body.

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1374**

**State and Local Government Committee (Sen. Roers, Chairman)** recommends **AMENDMENTS** ([25.1032.02003](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1374 was placed on the Sixth order on the calendar. This bill does not affect workforce development.