



North Dakota Ethics Commission Regular Meeting

Minutes of March 27, 2026

600 E Boulevard Ave, Room 321, Bismarck, ND and MS Teams

1. **Call to Order:** The meeting was called to order by Chair Cynthia Lindquist at 9:05 a.m. The following members of the Ethics Commission were also present: Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, as well as Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Operations Administrator Adilene Moos. Vice Chair Ron Goodman joined at approximately 9:13 a.m.
2. **Agenda Additions:** Executive Director Binstock requested the addition of Complaint Nos. 24-031, 25-040, and 25-058 to item number 13 of the agenda for discussion. ED Binstock also requested the addition of Advisory Opinion 26-01 to item number 7b.
3. **Public Comment Period:** Commissioner Lise Kruse of the Department of Financial Institutions participated in the public comment period. Commissioner Kruse's comments were related to the travel disclosure rules. Specifically, her impression the travel rules are difficult to understand and needs some clarity as well as how the disclosure of certain travel may expose potential legal risks in revealing legal strategy.

The Commission thanked Commissioner Kruse for her participation and will be reviewing the letter she submitted with her request to comment.

4. **Approval of Meeting Minutes:** The Commission discussed regular meeting minutes from February 18 & 19, 2026. Chair Lindquist asked for the addition of including that the meeting was held in-person and clarification on the number of complaints in item 4b.

Motion: Commissioner Huibregtse moved to approve regular meeting minutes from February 18 & 19, 2026 as amended. The motion was seconded by Vice Chair Goodman. Chair Lindquist called for a voice vote. The motion was approved by a unanimous voice vote.

5. **Operations Report:**
 - a. OA Moos provided a budget update for February 2026 for the 2025-27 biennium budget. She noted the following totals: current appropriation for the 2025-2027 biennium is \$1,384,716, which includes intern funding from OMB. Expenditures in February were \$49,067, bringing the total for the biennium to \$399,872, leaving a

remaining appropriation for the 2025-2027 biennium of \$984,844. OA Moos projected expenditures through the end of the biennium to be at \$976,640, leaving an estimated ending balance for the biennium on June 30, 2027, at \$8,204. This number will fluctuate. OA Moos noted the total for professional fees and services was updated to reflect the temporary clerkship position leaving a remaining balance in February of - \$1,317. The outside counsel budget in February was \$12,730.

ED Binstock clarified the outside counsel funds are not part of the Commission's budget appropriation. It is a separate fund part of the statewide litigation pool. ED Binstock also clarified the amount shown for the COGEL conference expenses. The total reflects a lesser value due to paying for some of the registrations during the last biennium and receiving reimbursements for cancellations. further information on the negative amount for the professional fees and services.

- b.** OA Moos provided a 2027-2029 Budget Request Projections overview. The projected amount for the Commissioner's pay for the 27-29 biennium is projected to be \$113,000, which includes all the meetings Commissioners are expected to attend. ED Binstock noted the request made last legislative session was less because it did not include pay for all meetings. OA Moos reviewed the projected budget request for travel during the 27-29 biennium to be \$111,000. The projected travel costs include all travel that is expected during the next biennium. The projected total cost for interns during the 27-29 biennium is \$90,000, which includes two summer legal interns, a business intern for both summers, and a legislative intern during the 2029 fiscal year. Projected costs for office miscellaneous expenses for the 27-29 biennium is \$36,000, which includes office rent, copier rent, office supplies, and printing and postage costs. Chair Lindquist requested the square footage size for the office to be doubled, which changed the projected cost for office miscellaneous expenses to \$61,000.

ED Binstock reiterated the budget projections presented for the 27-29 biennium includes items that were not accounted for in the previous biennium, which is the reason why the projected costs are approximately double of what was asked for during the 25-27 biennium.

- c.** Executive Director Rebecca Binstock provided an update to the Commission on filings.

In February 2026, the Commission received the following filings:

- Complaints: 7

- Quasi-Judicial Forms: 1
- Conflict of Interest Forms: 3
- Meeting Notices: 4

The Commission dismissed 6 complaints.

As of February 28, 2026, the Commission has 39 pending complaints.

Commissioner Sharp requested for Commissioners to have access to complaints. Staff discussed an interim solution to share complaints through Share Point.

- e. ED Binstock provided a human resources update. During the February meeting, the Commission approved the posting for the law clerk position temporary. ED Binstock has been working with HRMS to get this position posted, which will be done in the coming weeks.

ED Binstock provided an update on the summer legal internships and the business internship. The two summer legal interns have stopped by the office. Staff is preparing for their start dates from mid-May through mid-August. ED Binstock and OA Moos conducted interviews for the business internship position and have selected an individual this position. This applicant has accepted the offer. The Commission has received internship funding for all internship positions.

ED Binstock gave a brief introduction of OMB Communication Specialist, Victoria Nicholson. Victoria introduced herself and reviewed her potential role and services she can provide to the Commission. Victoria reviewed the possibility of developing talking points for Commissioners and general language to help create cohesiveness, helping resume quarterly newsletters and webinars, and diversifying materials the Commission already has.

Motion: Commissioner Sharp moved to authorize Commission staff to utilize OMB's Communication Specialist as a communications resource. The motion was seconded by Vice Chair Goodman. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

- d.** ED Binstock provided an education and outreach update. On March 19, 2026, ED Binstock participated in a Q&A session with Bismarck's local chapter of Inns of Court. The session focused on legal issues the commission deals with.

ED Binstock reminded the Commission of her invitation from Cornell Law School to give a lecture in April about real-world challenges of designing workable ethics rules, building ethics enforcement capacity, and maintaining public trust.

Staff anticipated hosting a Complaint Rule Amendments webinar to educate stakeholders about the recent changes to the complaint process. Due to workload challenges, the webinar will need to be pushed out until about mid-April. ED Binstock will be utilizing Communications Specialists Nicholson to help with the preparation of the webinar.

- f.** ED Binstock provided an update on the case management system. ED Binstock has been working and discussing this project with NDIT. At this time, NDIT is considering 3 paths for this project and in the next couple weeks, NDIT will present the Commission with options to consider. The Commission discussed different options such as public facing portal. The Commission agreed to prioritize an internal system, and the public facing dashboard as a second priority.
- g.** ED Binstock provided an update on the website. Staff have been working on getting the website in compliance with ADA. Prior to the NDIT patch, the commission's website was 91% compliant. The patch will help fix some things on the website to make it more ADA compliant, but after reviewing the website, staff noticed and worked on fixing some broken links and other issues. Staff will continue working on the website and getting it in compliance with ADA before the deadline at the end of April.
- h.** ED Binstock provided an update on the public priorities survey analysis. NDIT put together and sent out a scope of work. There will be a cost associated with NDIT's analysis of the survey.

The Commission recessed at 10:55 a.m. and all Commission members reconvened at 11:07 a.m.

6. **Ongoing Business:**

- a. The Commission discussed the March 4, 2026 letter from the Attorney General in response to Chair Lindquist's February 17, 2026 letter. The Commission maintains and agrees on wanting to resolve issues and find common ground with the Attorney General's Office.
- b. The Commission entered executive session during the general meeting at 11:31 a.m. to discuss the proposed travel disclosure rules.

Motion: Commissioner Huibregtse moved to enter executive session pursuant to N.D.C.C. sections 44-04-19.1 and 44-04-19.2 for attorney consultation in anticipation of reasonably predictable civil litigation or adversarial administrative proceedings related to the Proposed Travel Disclosure Rules and on the legal risks, strengths, and weaknesses of proposed actions of the Commission regarding the Proposed Travel Disclosure Rules, which, if held in public, could have an adverse fiscal effect on the Commission. The motion was seconded by Vice Chair Goodman. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

Information regarding the above-mentioned is confidential. The following participants entered the executive session: Chair Lindquist, Vice Chair Goodman, Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Operations Administrator Adilene Moos.

Executive Session ended at 12:23 p.m. and all participants returned to the regular meeting.

7. **Advisory Opinion 26-01, 26-03 and 26-04:** ED Binstock gave an overview of the advisory opinions.

Advisory Opinion 26-03:

This request was received on February 27, 2026, from the North Dakota Library Association. The request relates to holding an event at the capitol during legislative session. After consultation with the Chair, Commission staff notified the ND Library Association that it will be issuing an advisory opinion.

Advisory Opinion 26-04:

This request was received on February 26, 2026 from Representative Mike Lefor. After discussions with Chair Lindquist, Commission staff requested clarifying information on the request before assessing whether to issue the opinion. Commission staff is currently waiting for that information.

Advisory Opinion 26-01:

This request was received on February 10, 2026 from Bob Minard at SAP and relates to travel by state public officials to an out-of-state conference. The Commission previously determined that it would issue an advisory opinion, but since then staff received an email with additional information.

Motion: Commissioner Western moved to notify the requestor the Commission will not be providing an advisory opinion in response to his request because the underlying facts from the request have changed. The motion was seconded by Commissioner Sharp. Chair Lindquist called for a roll call vote. The motion was approved by all Commissioners present during roll call vote except for Vice Chair Goodman who stepped away briefly.

The Commission recessed at 12:36 p.m. and all Commission members reconvened at 1:14 p.m.

8. **Presentation from Commissioner Huibregtse and Discussion of Staffing and Budget Research:**

Commissioner Huibregtse presented his research and review of staffing and budget of ethics commissions in different jurisdictions. Commissioner Huibregtse compared different states that have ethics commissions similar to North Dakota. According to the research, Commissioner Huibregtse asked the Commission to consider more FTEs and a larger budget to make the ND Ethics Commission comparable to other states with similar ethics commissions.

The Commission discussed the potential FTE positions such as an additional attorney, education training officer, and a paralegal or administrative assistant. The Commission directed staff to develop an internal budget with the recommended positions for review and justifications for each added position. Considering the discussion, ED Binstock recommended not moving forward with the workforce analysis that was previously approved by the Commission due to budgetary confinements.

Motion: Commissioner Sharp moved to conduct the workforce analysis internally rather than externally. The motion was seconded by Commissioner Western. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

9. **Review of Policies and Procedures:**

- a. ED Binstock provided an overview of the case management reporting policy. The adoption of the amendments to the complaint process included a rule on case management. This rule will be effective April 1, 2026, making the previous policy redundant.

Motion: Commissioner Western moved to omit section 20 of the Commission's Policies & Procedures (case management reporting policy) because there is another rule that is on point. The motion was seconded by Commissioner Huibregtse. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

- b. ED Binstock gave a brief overview of the media relations policy. The Commission discussed the policy and recommended amendments to the policy be made.

Motion: Commissioner Western moved to amend the media relations policy to include subsection F, which states "Nothing in this policy shall prohibit or frustrate individual Commission members from responding to requests from media in consultation with the chair and executive director." Commissioner Western also moved to amend subsection C of the media relations policy to insert the language "The Chair, or his or her designee, in consultation with the executive director". The motion was seconded by Vice Chair Goodman. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

10. **Touchbase on 2026 Strategic Planning:** Chair Lindquist recommended tabling this item and possibly have a special meeting on the strategic plan.

The Commission recessed at 2:36 p.m. and all Commission members reconvened at 2:46 p.m.

11. **Discussion of Attorney General Letter Opinion 25-L-03:** The Commission entered executive session during the general meeting at 2:50 p.m.

Motion: Commissioner Huibregtse moved to enter executive session pursuant to N.D.C.C. sections 44-04-19.1 and 44-04-19.2 for the purpose of attorney consultation regarding actions available to the Commission, including litigation, relating to Attorney General Opinion 25-L-03 and on the legal risks, strengths, and weaknesses of proposed actions of the Commission regarding Attorney General Letter Opinion 25-L-03 which, if held in public, would have an adverse fiscal effect on the entity. The motion was seconded by Commissioner Sharp. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote.

Information regarding the above-mentioned is confidential. The following participants entered the executive session: Chair Lindquist, Vice Chair Goodman, Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Operations Administrator Adilene Moos.

Executive Session ended at 4:02 p.m. and all participants returned to the regular meeting.

During the Executive Session, the Commission had attorney consultation regarding actions available to the Commission, including litigation, relating to Attorney General Opinion 25-L-03 and on the legal risks, strengths, and weaknesses of proposed actions of the Commission regarding Attorney General Letter Opinion 25-L-03 which, if held in public, would have an adverse fiscal effect on the entity.

12. **Discussion of Citizens Alliance of North Dakota et al v. Wrigley et al 1:25-cv-256 (D.N.D. 2025):** GC Carpenter stated there is no update on this item as the Commission is waiting for the court to issue an order denying or granting the motion.
13. **Discussion of Complaint Nos. 23-011, 23-013, 23-014, 24-008, 24-013, 24-015, 24-031, 24-032, 24-035, 25-004, 25-021, 25-022, 25-038, 25-039, 25-040, 25-047, 25-048, 25-049, 25-050, 25-051, 25-052, 25-053, 25-054, 25-055, 25-056, 25-057, 25-058, 25-060, 25-061, 25-062, 25-068, 25-075, 25-076, 25-077, 25-078, 25-079, 25-080, 25-081, 25-082, 26-001, 26-008, 26-009, 26-010, and 26-011:** The Commission entered executive session during the general meeting at 4:10 p.m. to discuss Complaint Nos. 23-011, 23-013, 23-014, 24-008, 24-013, 24-015, 24-031, 24-032, 24-035, 25-004, 25-021, 25-022, 25-038, 25-039, 25-040, 25-047, 25-048, 25-049, 25-050, 25-051, 25-052, 25-053, 25-054, 25-055, 25-056, 25-057, 25-058, 25-060,

25-061, 25-062, 25-068, 25-075, 25-076, 25-077, 25-078, 25-079, 25-080, 25-081, 25-082, 26-001, 26-008, 26-009, 26-010, and 26-011. Information regarding the content and parties to a complaint to the Ethics Commission is confidential. The following participants entered the executive session: Chair Lindquist, Vice Chair Goodman, Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Operations Administrator Adilene Moos.

Executive Session ended at 4:40 p.m. and all participants with exception of Vice Chair Goodman returned to the regular meeting.

During the Executive Session, the Commission discussed Complaint Nos. 23-011, 23-013, 23-014, 24-008, 24-013, 24-015, 24-031, 24-032, 24-035, 25-004, 25-021, 25-022, 25-038, 25-039, 25-040, 25-047, 25-048, 25-049, 25-050, 25-051, 25-052, 25-053, 25-054, 25-055, 25-056, 25-057, 25-058, 25-060, 25-061, 25-062, 25-068, 25-075, 25-076, 25-077, 25-078, 25-079, 25-080, 25-081, 25-082, 26-001, 26-008, 26-009, 26-010, and 26-011.

After Executive session, the following motions were made:

Motion: Commissioner Huibregtse moved to close complaint no. 23-011 as recommended in the preliminary report and recommendation. The motion was seconded by Commissioner Western. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

Motion: Commissioner Sharp moved to summarily dismiss complaint nos. 26-008, 26-010, and 26-011 for lack of personal jurisdiction. The motion was seconded by Commissioner Huibregtse. Chair Lindquist called for a roll call vote. The motion was approved by unanimous roll call vote.

14. **April Meeting Logistics:** The April 24, 2026 meeting will be in West Fargo at the West Fargo Fire Department. OA Moos will take care of hotel reservations.
15. **Adjourn:** Having no further business, the meeting was adjourned at 4:45 p.m. The next regular meeting is scheduled for April 24, 2026 at 9:00 a.m. in person in West Fargo and livestreamed with MS Teams.

Approved on 4/24/2026



Rebecca Binstock, Executive Director, North Dakota Ethics Commission