

## North Dakota Ethics Commission Meeting

Minutes of February 24, 2021

Live Stream MS Teams

1. The meeting was called to order by Chair Ron Goodman, at 9:05 a.m. The following members of the Ethics Commission were present: Ron Goodman, Cynthia Lindquist, Paul Richard, Ward Koeser and David Anderson. Also present were Ethics Commission legal counsel Allyson M. Hicks, Executive Director Dave Thiele, and Office Manager Holly Gaugler. Also present was Karilynn Berger, Information Technology Program Administrator for NDIT.
2. The agenda was discussed for this meeting with no additions
3. The minutes of the 27 January 2021 meeting were discussed with no changes.

**Motion:** Commissioner Koeser moved to approve the minutes of January 27, 2021 with no corrections. Motion was seconded by Commissioner Anderson. Chair Goodman called for a voice vote on the motion. The motion was approved by unanimous voice vote.


4. Office Manager Holly Gaugler provided a budget update as of January 31, 2021. Gaugler reported January 2021 expenditures of \$22,450 and biennium to date expenditures of \$320,815 with a remaining budget of \$196,340. Gaugler also reported projected expenditures for the remainder of the biennium (February 1, 2021 through June 30, 2021) at an estimated \$129,684 leaving a potential ending balance of \$66,656 on June 30, 2021.
5. Executive Director Dave Thiele provided a report and current update on legislative bills: HB 1024, HB 1043, HB 1295, HB 1451, SB 2034 and HCR 3010. The Commission's discussion on the budget bill HB 1024 included numerous concerns of an under-funded budget for the 2021-23 biennium restricting the ability to fulfill Commission's constitutional mandate. Commissioners also stressed the need for a full-time Executive Director required to align with the roles and responsibilities of the position. There was also in-depth discussion of the Commission's proposed HB 1043 which was designed to harmonize NDCC 54-66 with the ND Constitution Article XIV. Executive Director Thiele will be addressing the Senate regarding the House's amendments to HB 1024 and HB 1043 and advocate for the Commission's original budget request as well as the Commission's original language in HB 1043. Executive Director Thiele also briefed the Commission on recent meeting requests and queries pertaining to the Commission's gift rules.
6. At 10:40 a.m., the Commission moved to a recorded executive session to review a complaint under the authority of the North Dakota Constitution Article XIV Section 3, Subsection 2, NDCC §54-66-04(2), and NDCC §44-04-19.2(1).

7. At 10:58 a.m., the Commission reconvened to regular session at which time Vice-Chair Lindquist assumed the duties of Chair at the request of Chair Goodman due to technical difficulties. Also, at this time, the following motion was made based upon Commission discussion in executive session:

**Motion:** Commissioner Richard moved to dismiss Complaint 20-003 relating to open meeting violations. Open meetings are covered by North Dakota Century Code by §44-04-17.1 and the North Dakota Ethics Commission Complaints Rule 115-02-01-02(2), the Commission will not consider complaints where there is an existing remedy. This motion was seconded by Commissioner Koeser. Chair Lindquist called for a roll call vote. The motion was passed unanimously.

8. Other Business: Executive Director Thiele indicated that the Commission would resume normal meetings beginning with the March 24, 2021 meeting as legislative session nears its end. Commissioner Richard suggested a two day in-person retreat next fall or winter to discuss current authorities and future direction of the Commission. Thiele asked the Commissioners to consider a possible "chat" or "Q & A" session for the public in an upcoming meeting. Chair Lindquist also suggested a "Frequently Asked Questions" section on the Commission's website in the future and asked that it be readily understood by the general public.

Commission, having no further business, was adjourned at 11:10 a.m. The next meeting is scheduled for March 24, 2021 at 9:00 a.m. by MS Teams.

Approved on April 20, 2021   
Dave Thiele, Executive Director, North Dakota Ethics Commission