

## North Dakota Ethics Commission Meeting

Minutes of November 24, 2020

Live Stream MS Teams

1. The meeting was called to order by Chair, Ron Goodman, at 9:00 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 NDIIT.
2. The agenda was discussed for this meeting. Chair Goodman requested a later discussion on the report sent out by Executive Director Thiele from the Coalition on Integrity.
3. The minutes of the 6 October 2020 meeting were discussed with no changes.

**Motion:** Commissioner Richard moved to approve the minutes of October 6, 2020 with no corrections. Motion was seconded by Commissioner Lindquist. 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 October 31, 2020. Gaugler reported October expenditures of \$22,342 and biennium to date expenditures of \$254,085 with a remaining budget of \$263,069. Gaugler also reported projected expenditures for the remainder of the biennium (November 1, 2020 through June 30, 2021) at \$202,569 leaving a potential ending balance of \$60,500 on June 30, 2021.
5. A report was provided by Executive Director, Dave Thiele:
  - a. Upcoming legislative session may require the Ethics Commission to conduct several special meetings.
  - b. Thiele will be tracking legislation and bills with input requests to Commissioners to be provided to legislative committees.
  - c. Anticipate lease changes and potential office space reduction that may require changes to restrictive statutory office location (NDCC 54-66-04).
  - d. A new gift rule meeting notice form has been developed for Commissioner feedback. The form will be posted to the website upon approval.
  - e. Reminded Commissioners of the COGEL conference beginning December 1.

f. No new complaints, but received several questions and positive feedback on gift rules.

6. The Commission discussed the report from the Coalition of Integrity sent out by Thiele which changed North Dakota's ethics score from 0 to 42. Thiele added that there were areas in which North Dakota did not receive points that should change with the adoption of gift rules and the potential passage of proposed legislation. Chair Goodman asked that Thiele reach out to other states' ethics commissions on cases being reviewed by other states where North Dakota is prohibited by statute of limitations.
7. The Commission discussed and set upcoming monthly meetings as follows: January 27, 2021, February 24, 2021 and March 24, 2021.
8. Clair Ness, Counsel with the North Dakota Legislative Council, provided the Commission an overview of the Legislative Council's conflict of interest procedures. Ms. Ness also explained the process whereby the entire legislative body is provided ethics training which addresses constitutional and administrative policies pertaining to conflicts of interest.
9. The Commission discussed pursuing a consolidated state conflict of interest policy that would provide consistent and coherent rules or working with the legislature on possible statutory changes as an alternative.

The Commission adjourned the morning session at 10:35 a.m. and resumed afternoon session at 1:00 p.m.

10. Leslie Oliver, Governor's legal advisor and designated ethics officer, provided an overview on the development and application of the conflict of interest policy for the Governor's Office. Ms. Oliver also provided discussion with the Commission on term limits and stressed the value of term limits as well as extended membership for beginning members. She also indicated to the Commission that current members would need to re-apply to the selection committee with at least two- and one-half months prior to term expirations. The Commission decided that term limits would be discussed in the upcoming months.

Commission, having no further business, was adjourned at 2:10 p.m. The next meeting is scheduled for December 15, 2020 at 9:00 a.m. by MS Teams.

Approved on

*Jan 27, 2021*

Dave Thiele, Executive Director, North Dakota Ethics Commission

