



## North Dakota Ethics Commission Regular Meeting

Minutes of June 25, 2025

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

1. **Call to Order:** The meeting was called to order by Chair Ward Koeser at 9:02 a.m. The following members of the Ethics Commission were also present: Commissioners Cynthia Lindquist, Ron Goodman, and Murray Sagsveen, Executive Director Rebecca Binstock, and General Counsel Logan Carpenter.
2. **Agenda Additions:** Executive Director Rebecca Binstock requested to amend item No. 3, Approval of Minutes, to not include the June 3, 2025 minutes.
3. **Approval of Minutes:** The Commission discussed regular meeting minutes from May 6 & 7, 2025, and special meeting minutes from May 27, 2025.

**Motion:** Commissioner Goodman moved to approve regular meeting minutes from May 6 & 7, 2025, and special meeting minutes from May 27, 2025. The motion was seconded by Commissioner Lindquist. Vice Chair Koeser called for a voice vote. The motion was approved by a unanimous voice vote.

4. **Executive Director's Report:**

- ED Binstock provided a budget update through the end of May 2025 for the 2023-25 biennium budget. She noted the following totals: current appropriation for the 2023-2025 biennium is \$1,165,896, expenditures in May were \$69,678, total expenditures for the current biennium have been \$1,077,118, leaving a remaining appropriation for the 2023-2025 biennium of \$88,778. ED Binstock presented an estimated ending balance for the biennium on June 30, 2025, at \$6,777. In July, there will be a better idea of what the end balance for the biennium is.

ED Binstock noted that the projected expenditure estimates for Temp Salaries and Benefits would be shy of the actual amount due to more time put in by Temp OA Maier. Funds are still available for advertising of administrative rules. A significant amount of the professional fees and services balance will be used in June for a SAAG that assisted with completing some complaints.

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

In May 2025, the Commission received the following filings:

- Complaints: 4
- Quasi-Judicial Forms: 0
- Conflict of Interest Forms: 0
- Meeting Notices: 14

The Commission closed 1 complaint.

The Commission currently has 64 pending complaints.

ED Binstock provided a chart that will be used for updating the Commission on filings.

- ED Binstock provided an update on policies and procedures. The Commission discussed the Length of Officer Term Policy and requested it be amended to have a notification provision to give Commissioners time to consider whether they would like to be chair or not in the event the Vice Chair declines the role of Chair.

**Motion:** Commissioner Sagsveen moved to approve the amended Bonus Policy. The motion was seconded by Commissioner Lindquist. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

- ED Binstock provided a human resources update. ED Binstock discussed OA Maier's temporary transition and how this has contributed to some strain on the office. Binstock stated that a request for applications was put out and the office received 23 applicants. First round interviews were conducted via Teams with Commissioner Goodman's help. In person interviews were conducted on June 24, 2025 and hope to have the newly hired Operations Administrator start in July. Temp OA Maier will stay on with the Commission and help with training.

5. **Advisory Opinion Requests 25-01, 25-02, 25-04, 25-05, and 25-06:** GC Carpenter provided an Advisory Opinion update.

Advisory Opinion Request 25-01:

This request was received in January from Senator Boschee and relates to whether or not it is permissible under campaign finance law to use campaign contributions for care giving expenses and security expenses while running for office or while in office. Due to legislative session and the extensive research required for the issuance of an advisory opinion, the Commission and

Senator Boschree agreed to an extension for the issuance of this advisory opinion to May 30, 2025. Based upon the complaint workload and the research needed to be conducted for this request, ED Binstock proposed the Commission coordinate with Senator Boschree for another short extension to issue the advisory opinion on or before June 30, 2025. GC Carpenter advised on the specifics and summarized the draft opinion.

**Motion:** Commissioner Sagsveen motioned to approve the draft language and issue advisory opinion 25-01 to the requesters and for publication on the Commission's website. Motion was seconded by Commissioner Lindquist. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

Advisory Opinion Request 25-02:

This request was received from Senator Ryan Braunberger and relates to traveling to a conference to serve as a panelist. GC Carpenter advised on the specifics and summarized the draft amended opinion.

**Motion:** Commissioner Goodman motioned to approve the draft amended language and issue advisory opinion 25-02 to the requesters and for publication on the Commission's website. Motion was seconded by Commissioner Lindquist. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

Advisory Opinion Request 25-04:

This request was received by Representative Zachary Ista and relates to travelling on a five day out-of-country study tour. The Commission will issue an advisory opinion.

Advisory Opinion Request 25-05:

This request was received by The Red River Valley Sugarbeet Growers Association (RRVSGA) and relates to hosting a sugarbeet harvest and sugarbeet factory tour. The Commission will issue an advisory opinion.

Advisory Opinion Request 25-06:

This request was received by Treasurer Thomas Beadle and relates to travelling event he is planning. The Commission will issue an advisory opinion.

6. **Discussion of Proposed Travel Disclosure Rules:** ED Binstock provided an update on the proposed travel disclosure rules. A hearing for the proposed travel disclosure rules is set for July

14, 2025, at 9:30 a.m. Only one comment has been received regarding the rule. ED Binstock notifies the Commission that more information will be sent to stakeholders to solicit responses and are aware of the hearing.

7. **Discussion of Proposed Complaint Rules Amendments:** GC Carpenter advised on the updates on the proposed complaint rules amendments. GC Carpenter recommended the removal and addition of certain wording and provisions in the proposed complaint rules amendment. ED Binstock discussed changing the dismissal of complaints to rely on the Commission rather than only the Executive Director to help keep the Commission informed on what complaint is being dismissed. GC Carpenter discussed the addition of complaint management time standards.

**Motion:** Commissioner Lindquist motioned to direct the Commission staff to start the rule making process for the proposed amendments to the complaint rules. Motion was seconded by Commissioner Goodman. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

The Commission recessed at 10:25 a.m. and all Commission members reconvened at 10:35 a.m.

8. **Discussion of Process for Investigating Relevant Information:** ED Binstock advised that in the May meeting, the Commission requested the Commission staff to draft rules for instances of times when the Commission receives information that relates to potential ethical violations. The Commission discussed evaluating information when it is received that relates to potential ethical violations and creating an additional avenue for informally resolving such violations without needing a formal complaint.
9. **Discussion of Settlement Guidelines:** ED Binstock advised on the creation of settlement guidelines and how to incorporate them. The goal of creating settlement guidelines is to set expectations and expediting the process to settle or resolve the matter. ED Binstock recommended creating a hybrid between settlement schedule and settlement process. The Commission staff will begin drafting the Settlement Guidelines.
10. **Discussion of Ethical Concerns at the Local Level:** ED Binstock discussed the increase in inquiries of phone calls or emails about ethical concerns at the local level. Starting July 1, 2025, these inquiries will be tracked to provide data as to whether this issue needs to be addressed and then how it should be addressed in the future. The data being tracked will include what the

issue is and the location. From time to time the Commission will be updated on the number of inquiries.

11. **Update on Process for Appointment of Commissioners:** ED Binstock provided an update on the process for appointment of Commissioners. ED Binstock sent a letter requesting the Governor, the Senate majority leader, and the Senate minority leader to convene and fill the vacancies for Chair and Vice Chair, and for the reappointment of Commissioner Sagsveen. A press release and solicitation of applicants will commence for this process. Commissioner Lindquist submitted a formal request with the Commission for Commissioners to meet with the Governor to discuss and answer questions about what the Ethics Commission does.
12. **Election of Vice-Chair:** Chair Koeser announced he does not desire to continue as Chair due to ongoing health issues. GC Carpenter advised tabling the matter of appointing a new Chair until the next meeting. Vice-Chair will not be elected until after a new Chair has been appointed.

**Motion:** Commissioner Lindquist motioned to appoint Commissioner Sagsveen as Vice Chair. Motion was then withdrawn after advisement from GC Carpenter of tabling discussion until the next meeting.

13. **Executive Session:** The Commission entered executive session during the general meeting at 11:40 a.m. to discuss Complaint Nos. 22-003, 22-004, 22-005, 22-006, 22-007, 22-008, 22-009, 22-010, 23-014, 24-017, 24-018, 24-019, 24-021, 24-022, 24-023, 25-041, 25-042, 25-073, and 25-074. Information regarding the content and parties to a complaint to the Ethics Commission is confidential. The following participants entered the executive session: Chair Koeser, Commissioners Ron Goodman, Cynthia Lindquist, and Murray Sagsveen, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Special Assistant Attorney General Patricia Monson.

Executive Session ended at 1:03 p.m. and all participants returned to the regular meeting.

During the Executive Session, the Commission discussed Complaint Nos. 22-003, 22-004, 22-005, 22-006, 22-007, 22-008, 22-009, 22-010, 23-014, 24-017, 24-018, 24-019, 24-021, 24-022, 24-023, 25-041, 25-042, 25-073, and 25-074.

After Executive session, the following motions were made:

**Motion:** Commissioner Lindquist moved to direct Executive Director Binstock to proceed with Complaint No. 23-014 as discussed during the Executive Session. The motion was seconded by Commissioner Goodman. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

**Motion:** Commissioner Goodman moved to direct Executive Director Binstock to summarily dismiss Complaint Nos. 24-017, 24-018, 24-019, and 24-022 for a lack of sufficient information to identify possible violations. The motion was seconded by Commissioner Lindquist. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

**Motion:** Commissioner Sagsveen moved to direct Executive Director Binstock to summarily dismiss Complaint Nos. 24-021 and 24-023 for being insufficient in identifying possible violations and to proceed as directed during the Executive Session. The motion was seconded by Commissioner Goodman. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

**Motion:** Commissioner Sagsveen moved to table the discussion on Complaint No. 25-041 until the next regular or special meeting. The motion was seconded by Commissioner Goodman. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

**Motion:** Commissioner Sagsveen moved to direct Executive Director Binstock to summarily dismiss Complaint No. 25-042 for being insufficient in identifying a possible violation. The motion was seconded by Commissioner Goodman. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

**Motion:** Commissioner Sagsveen moved to direct Executive Director Binstock to summarily dismiss Complaint Nos. 25-073 and 25-074 for lack of personal jurisdiction. The motion was seconded by Commissioner Goodman. Chair Koeser called for a roll call vote. The motion was approved by unanimous roll call vote.

14. **Further Business:** ED Binstock advised the Commission will be discussing during the July meeting the following topics: Complaints, the Memo Chair Anderson requested in the May meeting, and a review from ED Binstock from the strategic plan.

15. **Adjourn:** Having no further business, the meeting was adjourned at 1:11 p.m. The next regular meeting is scheduled for July 16, 2025, at 9:00 a.m., livestreamed with MS Teams.

Approved on 8/18/2025



Rebecca Binstock, Executive Director, North Dakota Ethics Commission