

2023 HOUSE JUDICIARY

HB 1444

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1444
1/30/2023

Relating to the duties of the attorney general
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Chairman Klemin opened the hearing on HB 1444 at 9:42 AM. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Clarification of duties of Attorney General
- Legal opinions
- SB 2208 bill

Rep. Koppelman: Introduced the bill. Testimony # 17786

Mary Kay Kelsch, Attonrey General's office: Neutral. No written testimony.

Hearing closed at 9:51 AM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1444
1/30/2023

Relating to the duties of the attorney general
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Chairman Klemin opened the meeting on HB 1444 at 4:23 PM. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Committee Work

Representative Christensen moved a Do Pass on HB 1444.

Representative Schneider seconded.

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	AB
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Motion Carried 12-0-1.

Representative Christensen carrier.

Meeting closed at 4:27 PM.

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1444: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1444 was placed on the Eleventh order on the calendar.

2023 SENATE STATE AND LOCAL GOVERNMENT

HB 1444

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1444
3/23/2023

Relating to the duties of the attorney general.

3:02 PM Chair Roers opened the hearing. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Terminology
- Opinion request

Rep Koppelman, Dist 16, bill sponsor, testified in support. #26500

Mary Kay Kelsch, Attorney General Office, testified neutral with no written testimony.

Additional written testimony:

Mitchell Sanderson, Park River, ND opposed #25744

3:25 PM Chair Roers closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1444
3/24/2023

Relating to rural ambulance service districts; to provide an appropriation.

10:46 AM Chair Roers opened committee work. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Committee action

Sen Braunberger moved a DO NOT PASS.

Sen Lee Seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	Y
Senator Judy Estenson	Y
Senator Judy Lee	Y

VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Cleary will carry the bill.

10:54 AM Chair Roers adjourned the meeting.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1444: State and Local Government Committee (Sen. K. Roers, Chairman)
recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB
1444 was placed on the Fourteenth order on the calendar. This bill does not affect
workforce development.

TESTIMONY

HB 1444

HB 1444

Rep. Ben Koppelman- Testimony

Mr. Chairman and Members of the Committee,

Thank You for the opportunity to introduce HB1444 to you today.

This is a relatively simple bill in that it cleans up statute to represent proper terminology and current practice.

As many of you are aware, a legislator may request a written Attorney General's opinion on legal questions. This is often a tool used to guide or correct action by an agency, board, or commission of the executive branch or a political subdivision of the state as it applies to the implementation and applicability of state law. These opinions are often informed by court decisions and legislative intent in addition to previous AG's opinions.

This bill does not change policy or current practice, but rather correctly codifies that practice. I can't find any legislative history as to why this section was written so poorly. However, it would be hard for me to believe that anyone would object to clarifying the law.

Mr. Chairman and members of the committee, there is never a time like the present to correct poorly written sections of code to ensure that our law reads plainly and says what it should say when outlining the duties of the Attorney General.

For that reason, I request that you give this bill a Do-Pass recommendation. I would be happy to attempt to answer any questions that you may have.

HB 1444

(AG Opinions)

What do we do if our legislator will not submit an AG opinion for us “the people” they are supposed to be representing?

We need a system for “the public” to be able to get an AG opinion if we can prove we cannot get out legislators to do an opinion for us the ones they are supposed to be representing!

HB 1444

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