

**Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015**

HOUSE BILL NO. 1180
(Representatives D. Anderson, Boe, Dockter, Maragos)
(Senators Burckhard, Robinson)

AN ACT to amend and reenact section 6-09.10-10 of the North Dakota Century Code, relating to the confidentiality of mediation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 6-09.10-10 of the North Dakota Century Code is amended and reenacted as follows:

6-09.10-10. Mediation - Open records and meetings exception.

1.
 - a. Information created, collected, ~~and/or~~ maintained, by the North Dakota mediation service, in the course of any formal or informal mediation, is confidential and not subject to the open records requirements of section 44-04-18. The information may be released only upon the written consent of all parties to the mediation or pursuant to an order issued by the court upon a showing of good cause.
 - b.
 - (1) Mediation communication is confidential and not subject to the open records requirements of section 44-04-18. Mediation communication may be released only upon the written consent of all parties to the mediation or pursuant to an order issued by the court upon a showing of good cause.
 - (2) For purposes of this subdivision, "mediation communication" means a written statement, and an oral statement or any nonverbal communication, either of which must be inscribed on a tangible medium or stored in a medium that is retrievable in perceivable form, provided the communication occurs during a mediation or is made for purposes of considering, initiating, conducting, continuing, or reconvening a mediation.
2. All mediation meetings and meetings involving the board, negotiators, mediators, or other personnel are confidential, closed meetings and are not subject to the open meetings requirements of section 44-04-19, ~~if the finances of specific farmers, creditors, or others are discussed.~~

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1180.

House Vote: Yeas 90 Nays 0 Absent 4

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2015.

Approved at _____ M. on _____, 2015.

Governor

Filed in this office this _____ day of _____, 2015,

at _____ o'clock _____ M.

Secretary of State