

## RESULTS OF 1999 LEGISLATIVE PROCESS QUESTIONNAIRE

Following the 1999 regular session, a questionnaire soliciting answers to 10 questions on legislative rules and procedures was sent to each member of the Legislative Assembly.

Of the 147 questionnaires sent, 72 were returned--23 by senators and 49 by representatives. The questions asked and the answers and comments received have been reproduced in this memorandum. For question 8, the Senate totals do not equal 23 because one member gave both "yes" and "no" answers.

1. By statute, the agenda for the organizational session in December includes orientation classes on legislative rules and procedure for new legislators. Do you have any suggestions to improve the orientation sessions for freshman legislators and others during the organizational session?

	Senate	House
Yes	4	13
No	19	29
No response		4
Other (comments but neither "yes" nor "no" answers)		3
Total	23	49

### Comments by Members of the Senate:

Be more structured. Special session on materials available in the Legislative Council library. Session on "page of the day," "doctor of the day," and other special services. Explain duties of desk force, pages, etc.

At every legislative session that I have attended, there seems to be confusion when the conference committee process commences. I don't know if it would be too early to have orientation on this matter at the organizational session in December, but it should be considered somewhere in the process to acquaint all legislators with the conference committee procedures.

I believe the Legislative Council staff is doing a good job of going over the rules and procedures.

An "old" legislator ought to do a hands-on tutorship every day for a couple of weeks and follow through later.

Get computers to new people then.

Presently, fine.

### Comments by Members of the House:

1) More work on bill introduction. 2) More detail on signing of bills. 3) How to use the Legislative Council staff. 4) What services are available to new legislators.

I believe a little more time should be spent on the parliamentary procedure manual the North Dakota Legislature uses.

A full explanation of the effect of the "emergency clause" is important. The citizen's right of referral is also important (Article III, North Dakota Constitution).

The only criticism I hear is that time is too short (understandably), and that there is a tremendous amount of information shared in a short period of time.

As a freshman legislator, the first month was an overwhelming and somewhat frustrating experience. A longer, more indepth orientation would be helpful. It would also be beneficial to have some of the previous session's freshmen comment and speak about what to expect in the first weeks of a new legislator's term.

The format of these sessions should be in outline form. I believe more specific questions would be generated.

Assign experienced legislators as sponsors for the new legislators early.

As a freshman, I found them to be very rewarding. Please continue.

These sessions are very essential to a smoother operation.

It was well run and timely.

It was very good last time.

Good job.

The session was very helpful. If at all possible, assign laptops earlier so new legislators have a chance to become familiar with them.

Issue computers and give at least eight hours of training.

Get them (freshmen legislators) computers and training.

Have computer sessions before the legislature meets.

Should have another day of training for computers.

An extra day of computer training for freshmen before the start of the legislature.

The computers were not set up for LAWS; we need to get people ready for this when they have time for it. This goes for the first three days in January as well.

Make sure computers and system is ready to go so practice/learning of system can be taken care of.

Ask this question after the organizational session.

2. By statute, the agenda for the organizational session also includes presentation of the budget and revenue proposals recommended by the Governor. Do you have any suggestions to improve the organizational session held in December?

	Senate	House
Yes	2	11
No	21	32
No response		3
Other (comments but neither "yes" nor "no" answers)		3
Total	23	49

**Comments by Members of the Senate:**

During the session they should teach us how to read the budget reports that are sent out to each of us while in session. Not even the old-timer can understand it.

Summary page booklet and big budget book.

Not really. I personally like the way things are organized.

Seems okay.

**Comments by Members of the House:**

It seems to be working quite well. The presentation of the budget at this time gives a better opportunity for review.

More detail describing two-year budget cycle, WEFA, and other forecasts, spreadsheets that are handed out - ending fund balance, etc.

Explanation of the funding sources (general funds/special funds). How the Bank of North Dakota and the Mill and Elevator work.

Include a "background statement" on each departmental budget (or agency) including a statement of budget priorities. Most incoming legislators are not privy to this.

I don't think every legislator knows about or cares about the big budget books we all get. Maybe a session to go over those books would make legislators more aware of how to use them and such.

It would be nice to have an advance copy of the Governor's budget, but that is not likely possible.

Distribute the budget book in advance of the presentation.

Have the budget proposals in the same format as the appropriation bills. For example, if we are to consider funding by each university, then proposals should be by university.

Is there a place in the procedure for the Legislative Council or leadership to review the Governor's budget and suggest change?

Have the majority leader of the Senate present the Senate/House reflections on the Governor's budget right after the Governor presents the budget.

More discussion with legislative leaders and members and Governor so there can be better cooperation.

I'm not sure it is a good idea for the legislature to use the Governor's budget as a starting point. Perhaps the legislature should develop its own budget.

Require legislative approval of Governor's budget prior to his public presentation.

Could use a half day going over budget.

Shorten it to one or one and one-half days. Too much time is wasted doing nothing.

Making better use of the time to help freshmen legislators become acquainted with the process.

3. Are there any changes concerning floor procedures you would like to see implemented?

	Senate	House
Yes	7	14
No	14	24
No response	2	6
Other (comments but neither "yes" nor "no" answers)		5
Total	23	49

#### Comments by Members of the Senate:

Would it be possible to just announce conference committees instead of requiring approval of the body?

A session on decorum.

Improve professional decorum by some when not in session - O.K., not maybe what you were looking for.

Any visitors on the floor should be required to dress properly (students).

Would like to see less visitors on floor - arrange to have Senate and House meet at same time.

We should consider restricting access behind the floor during the floor session. Oftentimes, lobbying behind the rail is inappropriate during floor sessions. Legislators should not be pressured when they get up to go to the bathroom, etc.

Keep prayers to two minutes - no more minisermos. Eliminate the motion to table.

System is fair!

#### Comments by Members of the House:

House decorum seems to be slipping. Also, we've become too "casual" in the conduct of legislative business (too much attempted humor, too many visitors and introductions thereof, etc.).

Proper decorum on House floor.

Not so many guests coming and going.

More control of noise on floor and noise behind rail.

I believe the floor procedures are clear and well-managed. More information on the parliamentary aspects would be helpful.

Fine. Could probably use a session on the rules and procedures.

Need a half day of practice on floor procedures.

Have more mock sessions for training.

Training session on protocol and use of microphone, what is expected when you carry a bill on the floor, and make sure all computers are working.

Enforce the floor speech time limits and the number of times each legislator can speak on an issue.

More respect for individual legislators, less manipulation of process by use of rules. For example, cutting off debate by using "time certain." We only meet every other year. We need to hear everything and have a chance to respond to our colleagues.

Debate on important (or all) bills should not be cut off at a "time certain" until at least a certain minimum amount of debate has occurred.

The rules should be followed. I do not believe that "time certain" was correctly followed on the floor of the House.

We really need to clarify the misuse of "time certain." 1) The rules require a two-thirds vote to cut off debate. The purpose is to keep the majority from cutting off discussion without widespread agreement, but letting the majority leader set a "time certain" for this minute effectively shuts off debate without a two-thirds vote. It's improper to use *Mason's* to clearly violate the intent of our rules. 2) We should adopt a rule to the effect that whenever *Mason's* conflicts with our rule, our rule takes precedence. 3) Staff should give us a parliamentary comment on the proper use of "time certain." As I read it, the point of "time certain" is to schedule debate on an issue in advance so that all parties will know when a controversial issue will be discussed. 4) If "time certain" is going to be used to schedule a vote rather than the beginning of debate, then it should be done in advance by agreement between majority and minority.

There should be a designated parliamentarian for legislators to check with. (Appointed by Speaker?)

It would seem that on occasion floor procedures and rules are applied as the majority party wants them to be. Not always fairly.

The majority party has a tendency to run roughshod over the minority.

I feel it is very necessary that somehow representatives are afforded more time to research the day's bill calendars before they are required to vote on it!

Distribute calendar for the next day by 4:00 p.m. the previous day.

There don't seem to be any problems that were noticeable.

How about including the pledge of allegiance to the flag daily?

4. Are the various deadlines satisfactory (such as for introduction and crossover of bills, reporting bills out of committee, etc.)?

	Senate	House
Yes	17	33
No	5	10
No response	1	4
Other (comments but neither "yes" nor "no" answers)		2
Total	23	49

**Comments by Members of the Senate:**

But stick to the rules for delayed bills.

I believe interim committee bills need a legislator sponsor. As the listing of sponsors chosen by the committee chairman has not been used uniformly or not worked, I suggest the committee chairman be listed and, if unwilling, the vice chairman be listed.

**Comments by Members of the House:**

After crossover:

- Move up the date for bills with fiscal notes and appropriations to be rereferred to Appropriations.
- Provide a longer crossover break for nonappropriation members.
- Encourage joint hearings on major appropriation bills.
- Provide agencies with a specific direction on how to present their budgets. Focus on the key areas and shorten the time for initial hearing.

Emphasize the bill introduction deadlines. Urge freshmen to get to work on bills early.

Leave as is. I think the deadline for bill introduction is fine.

House deadline should be moved back one week.

I wish the bill introduction deadline was later by one week.

I think the deadlines for submitting bills in the House are too soon. House and Senate deadlines should be the same for all things.

However, some committees seem to rush through their work, i.e., Industry, Business

and Labor - then the committee members have very little to do for 3-4 weeks.

Time is simply too tight in the first half. Bill introduction dates are too early; committees are too rushed to do an adequate and thorough job on bill analysis.

At times before crossover, there seems to be little time to screen the bills adequately.

5. Do you have any suggestions to change the standing committee structure or procedures?

	Senate	House
Yes	4	7
No	16	36
No response	2	4
Other (comments but neither "yes" nor "no" answers)	1	2
Total	23	49

**Comments by Members of the Senate:**

I think the Appropriations Committees should assemble at least a week before the others convene - either take a week after the organizational session or in early January.

B. Committee should meet Monday and Tuesday. A. Committee should meet Wednesday, Thursday, and Friday.

As chairman of the Natural Resources Committee in the Senate, I thought that more of the water legislation and natural resources related bills could have passed through our committee.

Human Services should be split into two. Neutral testimony by some is a joke. They say they are neutral and then spend 10 minutes bashing something.

Get House and Senate back on same schedule.

**Comments by Members of the House:**

We may need to analyze how, if possible, the load could be lightened for the Appropriations Committee. Comparatively, we put in much more time and effort than do most other committees, especially near the end of session.

Maybe combine Agriculture and Natural Resources to make time for busier committees.

I feel that committees should be assigned as closely as possible to each representative's background capabilities.

These committee assignments should be made by a group of legislators rather than just the majority leader.

Make committee assignments less political.

If there is a question if a person gets on a committee, tell them - don't let them find out via hearsay.

I believe the committee structure and procedure works very well. It is probably the most important aspect of the process.

I could find no fault with this process.

Perhaps more training for chairs so the people coming to testify will be treated properly as well as proper treatment of all committee members.

Allow more time for hearings on big issues; more time for department audit reports (at least four hours). Industry, Business and Labor needs to be moved to a larger room.

During committee hearings, more priority should be given to citizen testimony and less to agency heads and special interest lobbyists.

Conference committee - Legislative Council should provide staff to schedule conference committees, under direct supervision of House and Senate leadership. Don't allow the hearing to be reopened in conference committee. If additional information is needed, should be presented in unbiased way, maybe require unanimous consent or same vote as required to pass conference committee report to allow testimony.

- 6. Do you have any suggestions to improve conference committee procedures?

	Senate	House
Yes	6	14
No	13	30
No response	2	3
Other (comments but neither "yes" nor "no" answers)	2	2
Total	23	49

**Comments by Members of the Senate:**

Would it be possible to just announce conference committees instead of requiring approval of the body?

I think there should be some orientation of all legislators regarding the conference committee procedures. At every legislative session that I have attended, there seems to be confusion when the conference committee process commences. I don't know if it would be too early to have orientation on this matter at the organizational session in December, but it should be considered somewhere in the process to acquaint all legislators with the conference committee procedures.

A joint rule regarding the House and Senate schedule during the anticipated final weeks may help conference committee scheduling.

Let's get the tough issues done earlier. Appropriations Committee is now writing laws. That destroys the integrity of a good system.

The interaction with Appropriations Committees sometimes loses track of why the two houses differed.

Refine the computer scheduling - I had multiple times for same conference committee.

The computer program had a few small glitches, but all in all, it worked okay.

New system to notify people of a meeting needs to be developed.

It worked well this past session.

I believe that all committee members should read the bill before the hearings. I know this is very time-consuming. I think it would help if all bills were put on audiotape so could listen to them while exercising or resting.

**Comments by Members of the House:**

Absolutely limit their discussions to differences in the bills between the House and Senate. Do not permit new changes not related to the differences.

Requiring that the committees work on the differences between House and Senate versions of the bill, not building new bills!

Seems to me that the majority and the minority should play by the same rules. Either you can consider new ideas about the issue before you, even if there was no public hearing, or you can't.

At times it seems as though the whole bill is up for discussion rather than just the amendment.

We need to assure that conference committees stay focused on the content of the subject and personalities are left outside the door.

Rotate members (even freshmen) so that the same people are not chosen for multiple conference committees - it slows the process down because of schedule conflicts. It also gives the appearance that the process is being manipulated.

1) Do not have the same people on the majority of the conference committees. 2) Conference committee times are going to have to be set so people affected can at least attend. (Do we meet the open meeting law on these committees?)

Don't always use the same people. Perhaps include someone familiar with the subject matter on appropriation subs, in addition to appropriation members.

The workload should be spread among more senators in conference. Time is lost due to the inability to effectively schedule conference committee meetings because a handful of senators conferences most of the bills.

Spread out the conference committees to more people. Only a few people (representatives) are used.

All legislators are elected by their constituents on an equal basis, and all should be represented equally on conference committees.

Let each party select its own people.

No bill sponsor should be allowed to conference on his/her own bill!

A good cheat sheet on motions, procedures, etc., for all members.

During a couple of committees the material didn't arrive until one hour before the meeting. Not enough time to prepare. During discussions, people other than conference committee members would be giving body gestures showing disgust or disagreements with conference committee discussion. Needs to be controlled.

I think there are too many but I don't know how to solve that.

7. Were you satisfied with the services provided by staff (legislative employees, interns, Legislative Council staff)?

	Senate	House
Yes	21	49
No		
No response	1	
Other (comments but neither "yes" nor "no" answers)	1	
Total	23	49

#### Comments by Members of the Senate:

The legislative employees, interns, Legislative Council staff did an outstanding job. The fact is, the staff makes things run smooth, they are unselfish, and we're blessed to have all of you working with us (legislators).

The legislative employees and interns for the 1999 session were exceptional. The Legislative Council staff again rate A++. Thanks for all your help!!

As each week and day went by, I was more impressed with the work of the Legislative Council staff.

Political subdivisions intern and clerk were marginal on Senate side. Legislative Council people were excellent. The Council's information technology computer specialist was excellent!

Everyone went out of their way to be helpful and patient. Thank you to all staff for their work. We could never do it without the exceptional efforts of staff!

The Legislative Council did an excellent job in moving the process.

As always, we have the best staff available. Kudos to all of you.

Not enough interns. The rest was great.

I had better interns in past sessions.

Some were far better than others.

Very courteous, very efficient!

I am more than satisfied.

They do a very good job.

Services were excellent.

Excellent staff services.

Very good - excellent.

They were outstanding.

#### Comments by Members of the House:

I think it is the most efficient, helpful, and dedicated group of people I've ever seen. You do a marvelous job. My thanks and compliments to all of you!!

Absolutely! I cannot adequately express the value you all are to us. Your professionalism, dedication, commitment, and breadth of knowledge are very impressive. Thank you!

I found everyone to be very helpful and willing to teach me what I needed to know. I was pleased. Thank you.

Everyone was very helpful. I appreciated the candor when dealing with bills - laws.

Very much so. The staff was very helpful.

Very willing to help in every area.

Very good support all around.

Fiscal staff was great!

The employees were great . . . especially computer support.

I have been very pleased with the staff and the secretarial pool.

However, I feel we need more legislative pages available on the floor during session. I found a lot of "turmoil" on the House side this session.

They did a good job, perhaps too few on the floor.

All were very cooperative which made my job much easier.

Yes. Everyone I worked with provided excellent nonpartisan service.

Good people. Staff was very helpful. Keep up the good work.

The staff continues to do an excellent job!

Very efficient, cordial, and accurate.

You all are great and nonpartisan.

They did an excellent job.

Very satisfied!

Very satisfied.

Very much so.

Outstanding.

Very good!

Excellent!

Excellent!

Excellent.

Terrific.

8. Were you satisfied with the services provided by a private secretarial service during the session?

	Senate	House
Yes	20	47
No	1	
No response	1	1
Other (comments but neither "yes" nor "no" answers)	2	1
Total	24	49

#### Comments by Members of the Senate:

This is the first session that I have used the secretarial service extensively. I found the service to be excellent.

They turned it (the work) over very quickly and they were very helpful. What I didn't like was their effort to edit/change my work. (I didn't ask for it and I didn't want it.) We did reach an understanding, however.

I rarely used them myself but complaints of spelling/grammar issues were brought to my attention on three occasions. Each time I asked the senator to inform the supervisor.

We should get more information on how it could be used. There were only two days left in the session before I found out that they would transcribe from audiotapes.

Did a very good job - prompt.

They were very prompt.

Good work!

Didn't use them very much.

Didn't use them.

#### Comments by Members of the House:

They were always cordial and willing to help me meet my deadlines.

I found the secretarial service staff to be very congenial and helpful.

It couldn't have been better. Efficient, friendly, and timely.

They provided services on a timely basis.

Quick work, polite.

They were very good.

Very good service!

Very good.

Very good.

Excellent!

I was very satisfied; however, I used the steno pool very little. Committee clerks in Appropriations were excellent.

With the use of e-mail and the computer, I didn't use them as much as before.

Used only once.

N/A - didn't use the service.

I don't know who they were.

9. Were you satisfied with the services provided by a private printing firm in the bill and journal room?

	Senate	House
Yes	18	44
No	4	1
No response		1
Other (comments but neither "yes" nor "no" answers)	1	3
Total	23	49

**Comments by Members of the Senate:**

That system is working!

The people who manned the bill and journal room were very accommodating.

However, I was surprised that there was a charge for an engrossed copy of a bill. We could print them ourselves on the computer, but if we requested one, there was a charge. Why?

Many times I felt the service I was asking for was intruding or something they were told not to do, or did not want to do! 1) Needed multiple copies of a bill to take to the hearing because it was not in the hearing room bill book so I asked to make copies and was refused unless I paid CASH! 2) I will bring up other situations to Legislative Management.

It was very irritating not to be able to pick up engrossed bills (unless you wanted to pay for it). Because there was so little they could do to assist us, I didn't use them much.

I received complaints about the charge for cost of materials requested.

I couldn't get copies made on the lower floor - west end.

They were pleasant.

I didn't use the bill room very much.

**Comments by Members of the House:**

The personnel in the bill room were exceptionally friendly and helpful.

There never seemed to be any problems. The entire operation is well run.

Very good. They were there early every day and were most helpful and courteous.

However, certain very important bills were not ready early enough for review. The committee schedule was out on Wednesday evening - the bills (some of them) were not available until late Friday. I resorted to printing things off the LAWS system.

We need a way to get engrossed bills downstairs without it costing us. It would cut down on your time as well.

I needed engrossed bills - had to go to the Council office and request some from the receptionists. Not really productive?

It would be more convenient if legislators could receive copies of reengrossed bills at the bill room.

Very nice people! Question why legislators were asked to pay for engrossed bills? Would have been nice to be given amended bills as they came up.

Do they have to charge legislators for engrossed bills in the bill room?

A charge for a copy of an engrossed bill is a little much.

The service was good.

Good friendly service.

No complaints.

Excellent!

10. Do you have any other comments or suggestions that you believe would result in improving the legislative process (rules, procedures, facilities, staff, etc.)?

	Senate	House
Yes	6	12
No	13	25
No response	2	7
Other (comments but neither "yes" nor "no" answers)	2	5
Total	23	49

#### Comments by Members of the Senate:

While I was in Bismarck, I had all my e-mail forwarded from UND to the legislature. When I asked about reversing this process (i.e., sending my legislative e-mail to UND), I was told it would be easy to do. But, sorry, it was against policy. Please reexamine that policy, keeping in mind that the objective is the sharing of information.

Have both bodies convene at the same time. A laptop computer refresher course would be helpful.

We have replaced the pages with computer staff. Instead of pages we now have at least three computer staff at all sessions . . . have we really moved ahead? We need to get a system that really works.

Moving to a Windows-based system for all computer operations would help facilitate training and use of computers and software.

Legislators need to make sure they take care of their end!

Try to put legislators requesting similar bill drafts in contact with each other. Similar bills are a waste of time, energy, and money.

Bills that are vetoed didn't come up for override because the legislature was adjourned. Committee chairmen should get these "possibly-veto" bills through so an override vote can take place.

The "Xmas" tree bill at the end took a lot of the creditability away from the process. It was REPUGNANT.

I like the rule change we made concerning guests on the floor. The new rule still allows for guests, but limits the distractions and disruptions which have occurred in the past.

#### Comments by Members of the House:

Conference committees should be granted blocks of time longer than 45 minutes to avoid the start/stop/reacquaint routine. Also, some floor speeches were, in my view, a stretch of the rules as it relates to "chastising" other members.

I wish we could see conference committee reports earlier. I realize timing is a problem.

Consider allowing each committee to do fiscal budgeting. For instance, Committee A would be given \$100 million and all expenditures would be recommended by that committee, then submitted to Appropriations by the committee for final review.

I think some bills are not thoroughly heard by House members. Many education bills are not understood. Time is not given for all to know the bill. It seems at times the hurry-up mode is more prevalent than to be right.

Industry, Business and Labor Committee needs to be moved to a larger room. Because of the issues we dealt with, we often had too many people in attendance. This created extra (unnecessary) tension for the committee.

The members of the caucus should have some input into the legislative plans. We are asked to rubberstamp the leadership's plans. I believe they should put out a questionnaire to each member on major issues. In my years in the legislature, I have had very little influence on major decisions. I resent that.

The majority party should not be allowed to recess for days, while trying to browbeat for votes on a particular bill!

Budget status sheets - all other paper handed out by Legislative Council and other agencies should be e-mailed and attached - save a ton of paper.

There is no way to disable the caller ID blocker on the telephone. Therefore, some telephone numbers outside the Capitol cannot be reached. I would like to be able to fax over the telephone from my computer while in the Capitol. I would like full access to LAWS with my computer when away from the Capitol.

Improve computer system. Add Microsoft products. Make e-mail software one that can be forwarded to other computers.

Issue computers at orientation session to new legislators so you have time to practice.

More computer help up front.

None, other than those I've already mentioned.

The fiscal note has become a joke. That isn't taken seriously anymore. We need an independent Legislative Council staff person to give us a nondepartment, nonpolitical

estimate. And too many "we have no way of knowing" comments are ridiculous (or "no agency has jurisdiction"). If we can't do better, we ought to drop the whole idea. The renaissance bill is an outrageous example - there has to be a better what if scenario so that we have some idea what it will cost us to vote for it.

I was very well satisfied with the session and the rules.

Give legislators from rural areas two votes.

#### **Other Comments by Members of the Senate**

It would be useful if one of the legislative staff members was knowledgeable about the chair adjustments and went around to each senator offering proper adjustment suggestions during the first week.

If Legislative Council wants us to serve on NCSL or CSG committees, let us go to the meetings.

I'm impressed with the Council staff and its dedication.

#### **Other Comments by Members of the House**

All the books by the university, etc. were a waste of money. Governor's budget should be a CD-ROM for reference - waste of paper. Computers and support staff were great - wish all rooms (committee) were wired for hookup. Thanks again for everything.

Would it be possible to have different sizes of letterhead stationery or even note cards printed?

A copy machine needs to be fairly close to committee rooms for clerks and interns. Often we are short copies of testimony, etc.