

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE COUNCIL

Teleconference Meeting
Tuesday, January 8, 2008
Prairie Room, State Capitol
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 1:00 p.m.

Members present: Representatives Al Carlson, Rick Berg, Jeff Delzer, Shirley Meyer, Phillip Mueller, Chet Pollert, Bob Skarphol; Senators Dick Dever, Tim Flakoll, Joel C. Heitkamp, Ray Holmberg, David O'Connell, Larry J. Robinson, Bob Stenehjem, Rich Wardner

Members absent: Representatives Merle Boucher, Lee Kaldor

Others present: Allen H. Knudson, Roxanne Woeste, Becky Keller, Brady Larson, John Bjornson; Legislative Council, Bismarck

See attached [appendix](#) for additional persons present.

It was moved by Representative Skarphol, seconded by Senator Robinson, and carried on a voice vote to dispense with reading of the minutes of the November 29, 2007, meeting and to approve the minutes as distributed.

Chairman Carlson said the purpose of the meeting is to consider the appointment of the legislative budget analyst and auditor. Chairman Carlson called on the director to explain the statutory appointments to be made by the Legislative Council.

The director said North Dakota Century Code Section 54-35-12 provides for the Legislative Council's appointment of the legislative budget analyst and auditor and requires the person holding the position to have a four-year baccalaureate degree and be a certified public accountant (CPA) or have at least five years of government accounting experience. The director explained that Chairman Carlson had distributed to committee members on December 6, 2007, a letter regarding the position, the job description for the legislative budget analyst and auditor, and Mr. Allen H. Knudson's letter of application for appointment to the position. The director said Mr. Knudson is currently the assistant legislative budget analyst and auditor, has served the Legislative Council for 20 years, is a graduate of Minot State University, and is a CPA. The director said Mr. Knudson is very well-qualified for the position of legislative budget analyst and auditor because of his years of experience in all aspects of the fiscal-related responsibilities of the Legislative Council.

It was moved by Senator Robinson, seconded by Representative Berg, and carried on a roll call vote that Mr. Allen H. Knudson be appointed

legislative budget analyst and auditor for the Legislative Council. Voting in favor of the motion were Representatives Carlson, Berg, Delzer, Meyer, Mueller, Pollert, and Skarphol and Senators Dever, Flakoll, Heitkamp, Holmberg, O'Connell, Robinson, Stenehjem, and Wardner. No negative votes were cast.

Senator Heitkamp expressed concern that because of the appointment of Mr. Jim W. Smith as director, the Council staff would, in effect, be losing an attorney position. Chairman Carlson said the staff will continue to have eight attorneys on the legal staff. He views the director as not a part of either the legal or fiscal area. Representative Mueller said he is confident the director will review all staffing of the Legislative Council to determine that adequate staffing is available to meet the needs of the Legislative Assembly.

Senator Heitkamp mentioned that Mr. Chester E. Nelson, Jr., former legislative budget analyst and auditor for the Legislative Council, is undergoing surgery in Scottsdale, Arizona. He said his thoughts were with Mr. Nelson who served the Legislative Council for 35 years prior to his retirement in 2000. Representative Berg asked the Legislative Council staff to provide an e-mail contact for Mr. Nelson so Legislative Council members could express their best wishes to Mr. Nelson.

Representative Meyer inquired about the possibility of changing the Legislative Council office name so there is less confusion between the Legislative Council as a legislative body and the Legislative Council as staff for the Legislative Council.

Chairman Carlson said he plans to have the Legislative Council meet at the end of the month to review the job description for the director and the organizational structure of the Legislative Council and the Legislative Council could have a discussion at that time regarding potential name changes for the office of the Legislative Council.

There being no further business, Chairman Carlson adjourned the meeting at 1:20 p.m.

Jim W. Smith
Director

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