

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATIVE COUNCIL

Wednesday, April 25, 2007  
Prairie Room, State Capitol  
Bismarck, North Dakota

Senator Bob Stenehjem called the meeting to order at 10:45 p.m.

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

**Others present:** Randel Christmann, State Senator, Hazen

JoNell A. Bakke, State Senator, Grand Forks

Kathy Stenehjem, Bismarck

Elizabeth Stenehjem, Bismarck

Janell Cole, Forum Communications

Dale Wetzel, Blake Nicholson; Associated Press, Bismarck

Jim W. Smith, Jeffrey N. Nelson; Legislative Council, Bismarck

Chairman Stenehjem announced that nominations for chairman of the Legislative Council were open. Representative Berg nominated Representative Carlson, seconded by Representative Delzer. Senator Holmberg nominated Senator Stenehjem, seconded by Senator Dever. On a roll call vote, Senators Stenehjem, Dever, Flakoll, Heitkamp, Holmberg, O'Connell, Robinson, and Wardner voted for Senator Stenehjem. Representatives Berg, Boucher, Carlson, Delzer, Kaldor, Meyer, Mueller, Pollert, and Skarphol voted for Representative Carlson. Representative Carlson was elected chairman.

Chairman Stenehjem announced the nominations for vice chairman for the Legislative Council were open. **It was moved by Senator Holmberg, seconded by Senator Dever, and carried on a voice vote that a unanimous ballot be cast for Senator Stenehjem as vice chairman of the Legislative Council.**

Senator Stenehjem called on Representative Carlson to take the chair. Chairman Carlson presided over the remainder of the meeting.

The director described the process for selecting studies and establishing interim committees. Usually, he said, the Council meets two to three weeks after the legislative session to review study directives and establish priorities for discretionary studies. He said the Council traditionally has authorized the chairman to establish a committee structure based on the study directives approved for the interim, and a survey is sent to each legislator asking for committee

preferences. He said it takes approximately two to three weeks to distribute, return, and tabulate the results from the legislators. He said the chairman puts together a tentative committee list and presents that list to the Legislative Council, which approves the committee membership assignments.

The director said the 60th Legislative Assembly approved funding for continuation of the legislative branch infrastructure replacement project. He said time is of the essence and he suggested at the next meeting of the Legislative Council a presentation be made concerning the infrastructure replacement project for decision by the Legislative Council on how to proceed.

The Council discussed various dates for the next meeting. After reviewing conflicts members had on various dates, Chairman Carlson announced the Legislative Council would meet on Tuesday, May 15, 2007, to prioritize studies. He requested information on required and proposed studies be distributed to Council members before the meeting. The assistant director said the information that had been presented to the Legislative Council for the prioritization meeting last interim identified and listed the required studies first and grouped discretionary studies with similar required studies and other similar discretionary studies.

The director noted that the supplementary rules of the Legislative Council provide that the Legislative Council chairman approves all out-of-state travel by legislators. He said a decision needs to be made very soon on attendees to the annual meeting of the National Conference of State Legislatures in Boston August 5-9, 2007. In answer to a question from Senator Stenehjem, Chairman Carlson said he intends to follow the prior practice of consulting with each majority and minority leader about attendees from their respective caucuses for major meetings.

Senator Robinson inquired as to Chairman Carlson's thoughts on interim committee chairmen and vice chairmen. Senator Robinson said he thinks politics should be moved aside with respect to Legislative Council studies and chairmanships. Chairman Carlson said if a member of the Legislative Council wants to chair a committee, that member should be able to chair a committee. With respect to vice chairmen, he said, his preference is the chairman of the committee work with the Legislative Council chairman in naming a vice chairman.

No further business appearing, Chairman Carlson adjourned the meeting at 11:15 p.m.

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Jay E. Buringrud  
Assistant Director

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John D. Olsrud  
Director