

## NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

**LEGISLATIVE MANAGEMENT**

Tuesday, June 13, 2017  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator Ray Holmberg, Chairman, called the meeting to order at 9:05 a.m.

**Members present:** Senators Ray Holmberg, Kelly M. Armstrong, Joan Heckaman, Jerry Klein, Erin Oban, Ronald Sorvaag, Rich Wardner; Representatives Larry Bellew, Al Carlson, Bill Devlin, Kathy Hogan, Mike Lefor, Scott Louser, Corey Mock, Jim Schmidt, Jay Seibel

**Members absent:** Senator Donald Schaible

**Others present:** John Bjornson, Allen H. Knudson, Legislative Council, Bismarck  
See [Appendix A](#) for additional persons present.

**It was moved by Representative Carlson, seconded by Senator Wardner, and carried on a voice vote that the minutes of the May 31, 2017, meeting be approved as distributed and corrected.**

**INTERIM COMMITTEE APPOINTMENTS**

Chairman Holmberg referred to an initial committee membership list ([Appendix B](#)) that identifies the proposed membership for all committees. He said due to budget restrictions the committee needs to be aware of the total number of slots in the committee structure. He said the budget has 371 slots and the proposal before the committee has 372. He said an ideal committee size would be approximately 15 to 16 members, but some committees are limited in size by statute, e.g., the Workers' Compensation Review Committee is limited to six legislators. He said most members received their first preference for a committee, unless that could not be accommodated due to the committee size and demand.

Chairman Holmberg said the initial membership list also identifies those members not within the committee membership but who expressed a preference for the committee. He said committee members also have a summary ([Appendix C](#)) of the legislator preferences, listing for each legislator the legislator's first, second, third, etc. choices.

Chairman Holmberg went through each committee membership and the Legislative Management by consensus adjusted the committee memberships. The committee addressed those legislators that may have had only one committee and addressed political and house balances on each committee. The committee made adjustments to the proposed committee structure and at 11:00 a.m., a revised committee membership list ([Appendix D](#)) was distributed for the committee's consideration.

**It was moved by Senator Wardner, seconded by Representative Carlson, and carried on a roll call vote to approve the interim Legislative Management committee structure as adjusted.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Bellew, Carlson, Devlin, Hogan, Lefor, Louser, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

**DISCUSSION OF RECONVENING OF THE 65<sup>TH</sup> LEGISLATIVE ASSEMBLY**

Chairman Holmberg said the requesters, Representative Carlson and Senator Wardner, are waiting for the Attorney General's opinion regarding the vetoes by the Governor after the adjournment of the 65<sup>th</sup> Legislative Assembly. He said until that is received, it would not be appropriate to consider reconvening the Legislative Assembly for veto override. If the opinion is received in time, he said, the Legislative Management will consider meeting after the Budget Section meeting on Wednesday, June 21, 2017, around 3:00 p.m. He said members should save that date as a possible meeting date.

**STATUTORY MEMBERSHIP APPOINTMENTS**

Chairman Holmberg said the Legislative Management would consider appointments to statutory entities other than interim committees. He said the first appointments to be discussed are the appointments to the Veterinary Medical Education Program Admissions Committee related to Kansas State University.

The Director indicated the Legislative Council is waiting for a letter from the Chancellor of the North Dakota University System, suggesting potential appointees representing the North Dakota State University Department of Veterinary and Microbiological Sciences, a practicing veterinarian, and a livestock producer. He said the legislator appointed during the 2015-17 biennium was Representative Chet Pollert.

**It was moved by Senator Wardner, seconded by Representative Carlson, and carried on a roll call vote that Representative Pollert be appointed to the Veterinary Medical Education Program Admissions Committee, that Representative Dan Ruby and Senator Lonnie J. Laffen be appointed to the Multistate Highway Transportation Agreement Cooperating Committee, that Representative Karen M. Rohr be appointed to the State Hospital Governing Body, and that Representative Lawrence R. Klemin and Senator David Hogue be appointed to the Commission on Uniform State Laws.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Bellew, Carlson, Devlin, Hogan, Lefor, Louser, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

**It was moved by Representative Hogan, seconded by Senator Klein, and carried on a roll call vote that Representative Andrew G. Maragos and Senator Nicole Poolman be appointed to the Committee on Protection and Advocacy, that Representative Mock and Senator Kyle Davison be appointed to the State Information Technology Advisory Committee, and that Representative Glenn Bosch and Senator Dwight Cook be appointed to the Statewide Interoperability Executive Committee.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Bellew, Carlson, Devlin, Hogan, Lefor, Louser, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

### **RULES OF OPERATION AND PROCEDURE**

The Director reviewed the proposed [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#). He said the rules generally are the same as in the past but are revised relating to conducting committees via interactive video or teleconference to provide the use should be limited and is subject to prior approval by the Legislative Management Chairman.

**It was moved by Representative Hogan, seconded by Senator Klein, and carried on a roll call vote that the proposed *Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management* be approved.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Bellew, Carlson, Devlin, Hogan, Lefor, Louser, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

Chairman Holmberg distributed a letter to be sent to committee chairs and vice chairs and the Director explained the details of the letter.

### **EMPLOYEE ASSISTANCE PROGRAM**

Chairman Holmberg called on the Director to discuss the employee assistance program. He said during the current interim, members of the Legislative Assembly and Legislative Council staff have the ability to access services through the CHI St. Alexius employee assistance program. He said direction needs to be provided by the Legislative Management regarding the continuation of the employee assistance program through the CHI St. Alexius program.

**It was moved by Representative Carlson, seconded by Senator Wardner, and carried on a roll vote that the Chairman of the Legislative Management be authorized to continue to use the CHI St. Alexius employee assistance program for members of the Legislative Assembly.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Bellew, Carlson, Devlin, Hogan, Lefor, Louser, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

### **ADDITIONAL COMMITTEE STUDY**

Representative Carlson said he would like to add an additional study to the Government Administration Committee.

**It was moved by Representative Carlson, seconded by Senator Klein, and carried on a roll call vote that the Legislative Management approve a study of the state's emergency medical service (EMS) system, including the EMS state grant program and how the distribution of these grants affects services available in rural areas and a review of the availability of EMS statewide, services that are considered "access critical", and funding available to support these services and that the study be assigned to the Government Administration Committee.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Bellew, Carlson, Devlin, Hogan, Lefor, Louser, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

## INTERIM COMMITTEE CHAIRS AND VICE CHAIRS

Chairman Holmberg distributed a list ([Appendix E](#)) of his proposed chairs and vice chairs for each of the committees. The committee discussed the proposed list. Chairman Holmberg said there are 52 chair and vice chair slots, and his proposal would provide 4 of those slots to the minority party members. He said he is not concerned with minority chairmen of committees that may have 11 plus members of the majority party on them.

Representative Hogan said her experience as chairman last interim was one of bipartisanship, as most of the bills recommended were unanimous and 5 of the 7 became law.

**It was moved by Senator Klein, seconded by Senator Heckaman, to approve the interim Legislative Management committee chair and vice chair structure as proposed.**

Representative Carlson expressed his disappointment with the process and the proposed inclusion of minority party chairs and vice chairs. He said the majority should control the interim committees, as they have 84 percent of the membership of the Legislative Assembly. He offered changes to the proposal that changed the Education Policy Chairman from Senator Oban to Representative Mark S. Owens, Human Services Chairman from Representative Hogan to Representative Seibel, Information Technology Chairman from Representative Mock to Representative Robin Weisz, and the Natural Resources Chairman from Representative Seibel to Representative Chuck Damschen.

**It was moved, as a substitute motion, by Representative Carlson, seconded by Representative Louser, to approve the interim Legislative Management committee chair and vice chair structure as revised by Representative Carlson. The motion failed on a roll call vote.** Senator Armstrong and Representatives Bellew, Carlson, Devlin, Lefor, Louser, Schmidt, and Seibel voted "aye." Senators Holmberg, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Hogan and Mock voted "nay."

**The original motion carried on a roll call vote.** Senators Holmberg, Armstrong, Heckaman, Klein, Oban, Sorvaag, and Wardner and Representatives Hogan and Mock voted "aye." Representatives Bellew, Carlson, Devlin, Lefor, Louser, Schmidt, and Seibel voted "nay."

Mr. John Bjornson, Legal Division Director, presented a memorandum entitled [2017 Legislation Directly Affecting the Legislative Management and the Legislative Assembly](#).

Chairman Holmberg said the staff would provide an updated committee structure list to committee members, and he will be sending the letter to the chairs and vice chairs regarding committee activities.

No further business appearing, Chairman Holmberg adjourned the meeting at 11:45 a.m.

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Jim W. Smith  
Director

ATTACH:5