

## NORTH DAKOTA LEGISLATIVE MANAGEMENT

## Minutes of the

**LEGISLATIVE MANAGEMENT**

Wednesday, July 11, 2018  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator Ray Holmberg, Chairman, called the meeting to order at 9:00 a.m.

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

**Members absent:** Senator Joan Heckaman; Representatives Al Carlson and Scott Louser

**Others present:** Allen H. Knudson, John Bjornson, Jason J. Steckler, Legislative Council, Bismarck  
See [appendix](#) for additional persons present.

**It was moved by Senator Schaible, seconded by Senator Klein, and carried on a voice vote that the minutes of the May 11, 2018, meeting be approved as distributed.**

Chairman Holmberg said at the May 2018 meeting the committee decided to offer the position of Director of the Legislative Council to internal applicants. He said one person submitted an application, Mr. John Bjornson. He asked Mr. Bjornson to discuss with the committee his history and work experiences.

Mr. Bjornson said he started work at the Legislative Council in July 1988 after 7 years at the University of North Dakota, including 3 years of law school. He said throughout his career he has been asked to take on a variety of duties, including redistricting, workers' compensation, Code Revisor, and Legal Division Director. He said these varying responsibilities have prepared him for the job as Director.

Chairman Holmberg asked about the reference in Mr. Bjornson's application to repairing the relationship between the legal and fiscal divisions. Mr. Bjornson said at the time the Director was appointed in 2007, there were two qualified candidates and some tension existed from the time forward. He said Mr. Jim W. Smith, Director; Mr. Allen H. Knudson; and he have worked on unifying the staff, including involving legal staff with fiscal committees and vice versa and mixing the staff offices.

Chairman Holmberg asked how he would address the nonpartisan and bipartisan aspects of the position. Mr. Bjornson said the Legislative Council staff is the only full-time staff the legislators have, legislators are citizen legislators and the staff feels the responsibility to protect the integrity of the legislative branch. He said members of the staff are very aware of the need to treat our work as confidential and to not share with other legislators any information regarding conversations or strategy that legislators may have. He said the staff must work for both political parties and both houses. He said he would have multiple staff members involved in rules interpretations and other areas in which conflicts could arise.

In response to a question from Senator Wardner, Mr. Bjornson said his leadership style would be to lead by example, with a low-key and teamwork approach. He said his vision for the Legislative Council office would be to not reinvent the office, but continue to focus on work product quality and to improve every day. He said he would encourage staff to obtain related professional development through webinars, some of which are provided by the National Conference of State Legislatures. He said only 5 current staff members were at the Legislative Council in December 2007 when the current Director took over. He said 16 of the 34 current staff members have been hired in the last 5 years. He said there needs to be teaching and mentoring for the newer staff and succession planning.

Senator Wardner said regarding succession planning and staff retention, Mr. Smith has done an excellent job replenishing the staff after many retirements. He said the Legislative Council staff is excellent.

In response to a question from Senator Wardner regarding what he would look for when hiring new staff, Mr. Bjornson said he would continue to do what he has in hiring new legal staff by looking for someone with a real

interest in legislative work, who is a good writer, and who appreciates a varied workload and challenges. He said he would continue to work to make the Legislative Council a great place to work.

In response to question from Representative Mock, Mr. Bjornson said when he was hired he was in his 3<sup>rd</sup> year of law school, and was actually the office's second choice. He said he took a legislation class in law school and also enjoyed other law school courses relating to state and local government law. He said after being at the Legislative Council for 2 years, he developed a real interest in the work, and realized employment with the Legislative Council could be a career choice. He said the Legend bill drafting system implemented in 2011 allows the staff to be more efficient in drafting bills. He said one challenge is to retain staff. He said many staff were hired in the last 5 years and all staff have been without salary increases for the last 2 years. He said, as an example, the Supreme Court is advertising for an attorney with duties that include legislative research, bill drafting, and testifying before committees. He said the job description appears to target the legal staff. He said the starting salary for the position would pay more than the salary of three of the current legal staff members. He said the Legislative Council should be a career destination and not a training ground.

Representative Mock said if Mr. Bjornson is offered the job, he should work with Legislative Management, legislative appropriations committees, and legislative leaders to address any salary requirements for all Legislative Council staff.

Chairman Holmberg asked Mr. Bjornson if he was selected as Director, who would work on the redistricting portfolio. Mr. Bjornson said he has had four of the attorneys working on the initial phases, and also would consider having an intern with GIS experience to provide assistance.

**It was moved by Representative Mock, seconded by Senator Wardner, and carried on a roll call vote that the Legislative Management appoint Mr. John Bjornson to be the Director of the Legislative Council effective September 1, 2018, with the compensation to be negotiated by Chairman Holmberg.** Senators Holmberg, Armstrong, Klein, Oban, Schaible, Sorvaag, and Wardner and Representatives Bellew, Devlin, Hogan, Lefor, Mock, Schmidt, and Seibel voted "aye." No negative votes were cast.

Mr. Bjornson thanked the committee for their support and said he is willing to accept the position, subject to negotiation of compensation and having the ability to fill the vacant position resulting from his appointment.

Chairman Holmberg called on the Director for comments. The Director said he is retiring after over 39 years at the Legislative Council, with an additional 3 years at a regional CPA firm. He said he been Director for almost 11 years and worked on the budget staff for 28 years prior to that. He thanked all the legislators he has worked with over the years, Legislative Management members, and the many dedicated Legislative Council staff. He said for a Director to have any success, it requires the support of the Legislative Management, legislative leaders, and the entire Legislative Council staff. He said he appreciates all the support he has had from the staff and legislators. He said he hopes this will continue for the new director. He said the Legislative Council is in good shape and is fully staffed, although it probably is the smallest staff in the nation. He said the 2017-19 biennium budgets are in good shape, interim committees are on track, planning is underway for the 2019 session, and the legislative 2019-21 biennium budget is being developed. He said Mr. Bjornson is a dedicated employee and will respond to questions quickly and at all hours of the day. He said Mr. Bjornson probably has more years of service when appointed than most of the previous directors.

No further business appearing, Chairman Holmberg adjourned the meeting at 9:45 a.m.

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Jim W. Smith  
Director

ATTACH:1