



LEGISLATIVE MANAGEMENT

Monday, November 1, 2021
Roughrider Room, State Capitol
Bismarck, North Dakota

Senator Ray Holmberg, Chairman, called the meeting to order at 10:00 a.m.

Members present: Senators Ray Holmberg, Jessica Bell, Randy A. Burckhard, Joan Heckaman, Jerry Klein, Erin Oban, Donald Schaible, Rich Wardner; Representatives Glenn Bosch, Joshua A. Boschee, Michael Howe, Kim Koppelman, Mike Lefor, Alisa Mitskog, Chet Pollert, Jim Schmidt, Robin Weisz

Members absent: None

Others present: Representative Jeff Delzer, Underwood
Allen H. Knudson, Brady A. Larson, Adam Mathiak, Alex Cronquist, Emily L. Thompson, Samantha E. Kramer, and Claire Ness, Legislative Council

It was moved by Representative Pollert, seconded by Representative Boschee, and carried on a voice vote that the minutes of the June 9, 2021, meeting be approved as distributed.

REDISTRICTING COMMITTEE

Representative Bill Devlin, Chairman, Redistricting Committee, presented the committee [report](#).

It was moved by Senator Klein, seconded by Representative Lefor, and carried on a roll call vote that the report of the Redistricting Committee be accepted. Senators Holmberg, Bell, Burckhard, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." Senator Heckaman voted "nay."

LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Senator Rich Wardner, Chairman, Legislative Procedure and Arrangements Committee, presented the committee [report](#).

It was moved by Senator Wardner, seconded by Senator Burckhard, and carried on a roll call vote that the report of the Legislative Procedure and Arrangements Committee be accepted. Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

INTERIM APPROPRIATIONS COMMITTEES

Senator Ray Holmberg, Chairman, Interim Senate Appropriations Committee, presented the [report](#) of the Interim Senate Appropriations Committee. He noted:

- Senate bill drafts "A" [[21.1108.03000](#)] and "B" [[21.1131.04000](#)] differ slightly from the House versions.
- Senate bill draft "C" [[21.1123.01000](#)] would appropriate \$570,035,705 of federal State Fiscal Recovery Fund to various agencies.
- Senate bill draft "D" [[21.1132.02000](#)] would authorize the Department of Public Instruction to withhold integrated formula payments to school districts to be used for information technology project upgrades to the state automated reporting system and the statewide longitudinal data system.

Representative Jeff Delzer, Chairman, Interim House Appropriations Committee presented the [report](#) of the Interim House Appropriations Committee. He noted:

- House bill draft "A" [21.1104.06000] would appropriate \$509,150,228 of federal COVID-19 relief funding, of which \$113,276,228 is from the federal Coronavirus Capital Projects Fund, \$383,474,000 is from the federal State Fiscal Recovery Fund, and \$12,400,000 is from the federal Coronavirus Relief Fund to various state agencies.
- House bill draft "B" [21.1130.03000] would appropriate funding to the State Treasurer, Attorney General, Department of Human Services, Retirement and Investment Office, and Department of Public Instruction; transfer Bank of North Dakota profits to the University of North Dakota; authorize 16 FTE Department of Human Services positions; provide Department of Human Services transfer authority; and authorize 6 FTE Retirement and Investment Office positions.
- House bill draft "E" [21.1134.01000] would require school districts to offer computer science and cybersecurity courses to students.
- House bill draft "D" [21.1135.02000], similar to Senate bill draft "D", would allow the Department of Public Instruction to reduce integrated formula payments to school districts.

Chairman Holmberg noted bill draft "E" would be considered separately from the report of the Interim House Appropriations Committee. He noted the computer science and cybersecurity issue was identified by the Interim Senate Appropriations Committee as an issue that could be addressed later and should be addressed by the Education Committee. He noted the Legislative Assembly rarely changes graduation requirements.

Representative Pollert noted the Interim House Appropriations committee members believed the bill draft was worthy of consideration.

Senator Schaible noted the bill draft would allow students to take cybersecurity as an alternative to a second mathematics or science course and would be a mandate on training staff to teach the courses.

Senator Oban noted the course would be mandated for students starting in 2025. She questioned why the bill was not introduced last session so the public could be fully engaged through hearings before education policy committees.

It was moved by Representative Pollert, seconded by Representative Bosch, and carried on a roll call vote that House bill draft "E" [21.1134.01000] relating to computer science and cybersecurity courses for students be accepted for introduction. Senators Heckaman, Klein, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, and Weisz voted "aye." Senators Holmberg, Bell, Burckhard, Oban, and Schaible and Representative Schmidt voted "nay."

It was moved by Representative Pollert, seconded by Representative Howe, and carried on a roll call vote that the reports of the Interim Senate Appropriations Committee and Interim House Appropriations Committee, including House bill drafts "A" [21.1104.06000] and "B" [21.1130.03000] and Senate bill draft "C" [21.1123.01000] be approved. Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

It was moved by Representative Pollert, seconded by Representative Schmidt, and carried on a roll call vote that Senate bill draft "D" [21.1132.02000] relating to the withholding of integrated formula payments be accepted for introduction. Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

GOVERNMENT ADMINISTRATION COMMITTEE

Senator Randy A. Burckhard, Chairman, Government Administration Committee, presented the [report](#) of the committee.

In response to questions from the committee, Mr. John Bjornson, Legislative Council, noted the Legislative Procedure and Arrangements Committee would be responsible for naming the rooms.

It was moved by Senator Burckhard, seconded by Representative Koppelman, and carried on a roll call vote that the report of the Government Administration Committee be accepted. Senators Holmberg, Burckhard, Heckaman, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, and Schmidt voted "aye." Senators Bell, Klein, and Oban and Representative Weisz voted "nay."

GOVERNMENT FINANCE COMMITTEE

Representative Michael Howe, Chairman, Government Finance Committee, presented the [report](#) of the committee. He also distributed a memorandum entitled [Emergency Commission Special Funds Approval - Temporary Increase Proposal](#) which provides a proposal to temporarily increase the aggregate limit of requests for special funds or other sources that may be approved by the Emergency Commission during the 2021-23 biennium. He noted this proposal could be adopted during the special session and the bill draft proposing the permanent amendment of the Emergency Commission approval limits could be forwarded to the Legislative Management in November 2022 for consideration by the 2023 Legislative Assembly.

It was moved by Representative Howe, seconded by Representative Pollert, and carried on a roll call vote that the report of the Government Finance Committee be accepted and, in lieu of the bill draft presented in the report, the proposal to temporarily increase the Emergency Commission aggregate limit be approved and included as part of bill draft "B", which was recommended by the Interim House Appropriations Committee. Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

HUMAN SERVICES COMMITTEE

The [report](#) of the committee was presented by Mr. Brady A. Larson, Assistant Legislative Budget Analyst and Auditor, Legislative Council.

It was moved by Representative Mitskog, seconded by Senator Heckaman, and carried on a roll call vote that the report of the Human Services Committee be accepted. Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

SPECIAL SESSION ARRANGEMENTS

Chairman Holmberg noted allowing remote participation by legislators during the 2021 regular session worked well when the remote participation was approved by the chamber leaders. He indicated there seems to be no reason to change that policy.

It was moved by Representative Koppelman, seconded by Representative Bosch, and carried on a voice vote that the Legislative Assembly continue the policy of allowing remote participation by a legislator during the special session upon approval of the legislator's caucus leader or presiding officer in the chamber.

Mr. Bjornson distributed copies of a proposed first day agenda ([House/Senate](#)) for the special session.

It was moved by Senator Schaible, seconded by Senator Burckhard, and carried on a voice vote that the proposed first day agenda be approved, subject to revision as necessary.

It was moved by Representative Koppelman, seconded by Representative Boschee, and carried on a voice vote that the Legislative Council staff be requested to post on the Legislative Branch website all the bill drafts submitted for consideration by the House and Senate Delayed Bills Committees.

Representative Pollert noted the members of the Delayed Bills Committee and the Rules Committee remain the same as during the 2021 regular session. He announced he will recommend the Committee on Committees appoint Representative Weisz as the House Chairman of the Joint Technical Corrections Committee and Representative Todd Porter as the House Vice Chairman. He indicated he will recommend the other members of the committee to be Representatives Dockter, Hanson, Louser, O'Brien, Richter, and Roers Jones. He noted the House members of the Joint Redistricting Committee will be the members of the interim Redistricting Committee.

Senator Warder announced he will recommend the Committee on Committees appoint Senator Judy Lee as Senate Chairman of the Joint Technical Corrections Committee and Senator Dale Patten as Vice Chairman. He indicated the other recommended members would be Senators Anderson, Bakke, Dwyer, Kannianen, Schaible, and Vedaa. He noted the Senate members of the Joint Redistricting Committee will be the members of the interim Redistricting Committee.

PROPOSED ADDITIONAL INTERIM STUDY

Chairman Holmberg noted a study proposed by Senate Bill No. 2041 (2021) was not selected for study by the Legislative Management last spring. He indicated after that decision, Senator Myrdal requested him to assign the study to a committee and he indicated to her he would bring the matter to the next Legislative Management meeting.

It was moved by Senator Bell, seconded by Senator Klein, and failed on a roll call vote that the study requested in Section 2 of Senate Bill No. 2041 (2021) be assigned to an interim committee for study. Senators Holmberg, Burckhard, Heckaman, and Oban and Representatives Pollert, Bosch, Boschee, Howe, Lefor, Mitskog, Schmidt, and Weisz voted "nay." Senators Bell, Klein, Schaible, and Wardner and Representative Koppelman voted "aye."

HIGHER EDUCATION GRANT REVIEW COMMITTEE CONFIRMATION

Mr. Bjornson noted North Dakota Century Code Section 15-10-51 provides the members of the State Board of Higher Education appointed to the Higher Education Grant Review Committee are subject to confirmation by the Legislative Management. He noted Mr. Jeffry Volk has been appointed by the board to replace Ms. Kathleen Neset.

It was moved by Senator Heckaman, seconded by Representative Boschee, and carried on a voice vote that the Legislative Management confirm the appointment of Mr. Jeffry Volk to the Higher Education Grant Review Committee.

No further business appearing, Chairman Holmberg adjourned the meeting at 11:50 a.m.

John Bjornson
Director