

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE

Tuesday, July 13, 1999  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Representative Francis J. Wald, Chairman, called the meeting to order at 9:00 a.m.

**Members present:** Representatives Francis J. Wald, Ole Aarsvold, Wesley R. Belter, Rex R. Byerly, RaeAnn G. Kelsch, Doug Lemieux, Andrew G. Maragos, Mike Timm, Lonny B. Winrich; Senators Dwight C. Cook, Jerome Kelsh, Ralph Kilzer, Jerry Klein, Duane Mutch, David O'Connell, Ken Solberg

**Members absent:** Representatives Ronald Nichols, Jim Poolman

**Others present:** See Appendix A

**It was moved by Representative Byerly, seconded by Senator Solberg, and carried on a voice vote that the minutes of the January 27, 1999, meeting of the Legislative Audit and Fiscal Review Committee be approved as distributed.**

Mr. Chester E. Nelson, Jr., Legislative Budget Analyst and Auditor, reviewed the Legislative Council's supplementary rules of operation and procedure.

The Legislative Council staff presented a memorandum entitled *Statutory Duties and Responsibilities of the Legislative Audit and Fiscal Review Committee - Recommendations and Requests Made by the Committee*. The committee is statutorily created for the purpose of studying and reviewing the financial transactions of the state; to assure the collection and expenditure of its revenues and moneys are in compliance with the law and legislative intent and sound financial practices; and to provide the Legislative Assembly with formal, objective information on revenue collections and expenditures for the basis of legislative action to improve the fiscal structure and transactions of the state.

The committee's duties and responsibilities include the following:

1. Receive the State Fair Association's audit reports. (NDCC Section 4-02.1-18)
2. Receive the annual audit report from any corporation that produces agricultural ethanol or methanol in this state and which receives a production subsidy from the state. (NDCC Section 10-19.1-152)
3. Receive the annual audit report from any limited liability company that produces agricultural ethanol or methanol in this state and which receives a production subsidy from the state. (NDCC Section 10-32-156)

4. Receive the annual audited financial statement and report from the North Dakota low-risk incentive fund. (NDCC Section 26.1-50-05 provides for the audit report to be submitted to the Legislative Council. The Legislative Council assigned this responsibility to the Legislative Audit and Fiscal Review Committee.)
5. Receive the North Dakota Stockmen's Association audit reports. (NDCC Section 36-22-09 provides for the audit reports to be submitted to the Legislative Council. The Legislative Council assigned this responsibility to the Legislative Audit and Fiscal Review Committee.)
6. Receive and review annual reports on the status of accounts receivable from the Department of Human Services and Developmental Center at Westwood Park, Grafton. (NDCC Section 25-04-17, Developmental Center at Westwood Park, Grafton, and Section 50-06.3-08, Department of Human Services, including the State Hospital)
7. Receive the biennial performance audit on the divisions of Job Service North Dakota. (NDCC Section 52-02-18)
8. The State Auditor is to perform or provide for performance audits of state agencies as the State Auditor or the Legislative Audit and Fiscal Review Committee determines necessary. (NDCC Section 54-10-01)
9. Determine the frequency of audits or reviews. (NDCC Section 54-10-01)
10. Determine when the State Auditor is to perform audits of political subdivisions. (NDCC Section 54-10-13)
11. Direct the State Auditor to audit or review the accounts of any political subdivision. (NDCC Section 54-10-15)
12. Study and review audit reports submitted by the State Auditor. (NDCC Section 54-35-02.2)
13. Receive annual report from the director of the Workers Compensation Bureau and the chairman of the Workers Compensation Board of Directors. (NDCC Section 65-02-03.3)

14. Receive report from the director of the Workers Compensation Bureau, the chairman of the Workers Compensation Board of Directors, and the auditor regarding the biennial performance audit of the Workers Compensation Bureau. (NDCC Section 65-02-30)

The memorandum also included information on guidelines developed by the committee in past interims for audits performed by the State Auditor's office and independent certified public accounts. The guidelines require that audit reports include specific statements and recommendations regarding:

1. Whether expenditures were made in accordance with legislative appropriations and other state fiscal requirements and restrictions.
2. Whether revenues were accounted for properly.
3. Whether financial controls and procedures are adequate.
4. Whether the system of internal control was adequate and functioning effectively.
5. Whether financial records and reports reconciled with those of state fiscal offices.
6. Whether there was compliance with statutes, laws, rules, and regulations under which the agency was created and is functioning.
7. Whether there was evidence of fraud or dishonesty.
8. Whether there were indications of lack of efficiency in financial operations and management of the agency.
9. Whether actions have been taken by agency officials with respect to findings and recommendations set forth in the audit reports for preceding periods.
10. Whether all activities of the agency were encompassed within appropriations of specific amounts.
11. Whether the agency has implemented the statewide accounting and management information system, including the cost allocation system.
12. Whether the agency has developed budgets of actual anticipated expenditures and revenues on at least a quarterly basis and compares on at least a quarterly basis actual expenditures and revenues on the accrued basis to budgeted expenditures and revenues.

Chairman Wald told committee members that the purpose of this committee is to focus on fiscal and operational aspects of state agencies and institutions. He said this is not a policymaking committee. He said committee members should try and keep the issues focused toward fiscal and operational issues of the agency and institution reports presented to the committee.

Mr. Ed Nagel, State Auditor's office, presented information on the audit process for state agencies and on the relationship between the State Auditor's office and the Legislative Audit and Fiscal Review Committee. A copy of the report is on file in the Legislative Council office. He reviewed the powers and duties of the State Auditor as set out in the North Dakota Century Code. He also reviewed the different types of state audits and the functions of the State Auditor's office as they relate to audits presented to the Legislative Audit and Fiscal Review Committee. Mr. Nagel also reviewed a list of audits performed by independent certified public accounting firms and a list of audits of occupational and professional boards.

Mr. Nagel referred committee members to a report, which had been distributed to committee members, containing the management letter recommendations relating to the audit reports to be presented at this meeting. A copy of the report is on file in the Legislative Council office.

Mr. John Mongeon, Brady, Martz and Associates, PC, Certified Public Accountants, Bismarck, presented the North Dakota Retirement and Investment Office audit report for the year ended June 30, 1998. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

Mr. Mongeon presented the North Dakota Public Employees Retirement System (PERS) audit report for the year ended June 30, 1998. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

In response to a question from Representative Byerly, Mr. Steve Cochrane, Retirement and Investment Office, reviewed the asset allocation and rates of return by investment type for investments of the Public Employees Retirement System. A copy of the PERS investment performance report for May 1999 is attached as Appendix B.

Mr. Joe Martin, Brady, Martz and Associates, PC, Certified Public Accountants, Grand Forks, presented the Veterans Home audit report for the year ended June 30, 1998. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

Mr. Mongeon presented the Job Service North Dakota audit report for the year ended June 30, 1998. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

In response to a question from Representative Wald, Ms. Jennifer Gladden, Job Service North Dakota, said the Workers Compensation Bureau and Job Service North Dakota have engaged in a

combined payroll reporting form to be used by employers. She said the two agencies are now working toward an automated reporting system.

Mr. Martin presented the North Dakota Mill and Elevator Association audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

Mr. Rick Awalt, Brady, Martz and Associates, PC, Certified Public Accountants, Minot, presented the Workers Compensation Bureau audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

In response to a question from Representative Maragos, Mr. Pat Traynor, Workers Compensation Bureau, said the bureau is still evaluating a number of options in regard to the possible purchase of a building. He said the current landlord is negotiating with the railroad on the purchase of the land on which the existing building is located and should have information on that by the middle of August. He said after that information is received the bureau will look at new construction, an existing facility, or the current building.

Mr. Alton Nitschke, Eide Bailly LLP, Certified Public Accountants, Bismarck, presented the Board of University and School Lands audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report contains a recommendation relating to travel expense reimbursements. He said the report contains an unqualified opinion.

Mr. Greg Honl, Eide Bailly LLP, Certified Public Accountants, Fargo, presented the Bank of North Dakota audit report for the years ended December 31, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains a qualified opinion relating to year 2000 disclosure issues. Mr. Honl said the Bank of North Dakota is ahead of schedule for year 2000 preparedness.

In response to a question from Chairman Wald, Mr. John Hoeven, Bank of North Dakota, said all of the Bank's systems would be year 2000 compliant by the middle of July.

Mr. Nitschke presented the North Dakota Housing Finance Agency audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

Mr. Honl presented the partnership in assisting community expansion (PACE) fund audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

Mr. Honl presented the Ag PACE fund audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations. He said the report contains an unqualified opinion.

Mr. Nitschke presented the Technology Transfer, Inc. (TTI), audit report for the years ended June 30, 1998 and 1997. He reviewed the auditor's responses to the committee's guidelines and said the report contains one recommendation relating to proper review and approval of expenditures prior to the payments being made. Mr. Nitschke said the report contains a qualified opinion due to possible adjustments that may need to be made when TTI is transferred to the Department of Economic Development and Finance sometime after June 30, 1999. He said this is a standard requirement and they do not anticipate having to make any adjustments due to the transfer.

Representative Byerly asked if the committee could be provided information on the current portfolio listing for TTI.

Representative Maragos suggested that since TTI is being transferred to the Department of Economic Development and Finance it would be beneficial for the committee to receive a chronological investment activity listing of all TTI investment activities since the inception of the fund.

Chairman Wald asked the committee members if they were interested in having the State Auditor's office perform a final audit of TTI as of June 30, 1999. He said the audit would be to determine the exact assets, liabilities, and equity to be transferred to the Department of Economic Development and Finance.

Mr. Nitschke said the board of the Department of Economic Development and Finance has contracted with Eide Bailly for a final June 30, 1999, audit report for TTI. He suggested the chronological list of investment activity since the inception of the fund would be information that management should be able to provide to this committee.

**It was moved by Representative Maragos, seconded by Senator Mutch, and carried on a roll call vote that the Legislative Audit and Fiscal Review Committee request that the Department of Economic Development and Finance have Eide Bailly LLP, Certified Public Accountants, include a chronological list of all investment activities in the Technology Transfer, Inc. audit report being prepared for the period ending June 30, 1999.** Representatives Wald, Aarsvold, Belter, Byerly,

Lemieux, Maragos, Timm, and Winrich and Senators Cook, Kelsh, Kilzer, Mutch, O'Connell, and Solberg voted "aye." No negative votes were cast.

Mr. Nagel presented the Secretary of State's audit report for the two-year period ended June 30, 1998. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations.

Mr. Nagel presented the Adjutant General's audit report for the two-year period ended June 30, 1998. He reviewed the auditor's responses to the committee's guidelines and said the report does not contain any findings or recommendations.

In response to a question from Representative Byerly, General Keith D. Bjerke, Adjutant General, said the National Guard does not have any outstanding loans at the Bank of North Dakota. He said all the outstanding debt related to the previous disaster declarations was repaid with the deficiency appropriation provided to the Adjutant General by the 1999 Legislative Assembly.

Mr. Gordy Smith, State Auditor's office, presented the statewide single audit report for the years ended June 30, 1998 and 1997. He said the statewide single audit is the state's audit of all federal funds received by state agencies and institutions during fiscal years 1998 and 1997. He reviewed the different sections of the report which include selected statistical data, independent auditor's reports, schedule of expenditures of federal awards, notes to the schedules of expenditures of federal awards, schedule of findings and questioned costs, and a summary schedule of prior audit findings.

The committee recessed for lunch at 12:10 p.m. and reconvened at 1:15 p.m.

Mr. Smith said the largest questioned cost in the statewide single audit report relates to the child and adult care food program administered by the Department of Public Instruction. He said the Department of Public Instruction made payments to Dakota Nutrition, Inc., which were later found to be unallowable or unsupported thereby creating a questioned cost of \$1,412,438. He said no recommendation was made regarding this finding because it was the monitoring procedures of the Department of Public Instruction that discovered the problem. Mr. Smith said the department has since taken all necessary action to address the issue. He said the Department of Public Instruction has turned the issue over to the Attorney General's office for prosecution. Mr. Smith said according to the federal government the Department of Public Instruction has taken all the correct actions to address this issue.

In response to a question from Representative Maragos, Mr. Smith said Dakota Nutrition, Inc., accumulated meal counts from various day care providers, submitted the meal count information to the Department of Public Instruction, and was then reimbursed by the Department of Public Instruction for the meals

provided at the day care centers. He said Dakota Nutrition, Inc., then remitted the meal reimbursement funds to the various day care providers in order to pay the providers for the meals provided at the day care centers. He said Dakota Nutrition, Inc., was allowed an administrative cost which was based on the federal regulations for the program.

In response to a question from Representative Wald, Mr. Smith said the discrepancy was discovered when the Department of Public Instruction performed a review of the claims filed by Dakota Nutrition, Inc. He said the department noted discrepancies in the records. He said at that time the department hired a certified public accounting firm to perform an audit of Dakota Nutrition, Inc. He said the certified public accounting firm was unable to complete the audit because Dakota Nutrition, Inc., could not produce records substantiating the \$1,412,438 in claims.

**It was moved by Senator Solberg, seconded by Representative Byerly, and carried on a voice vote that the Legislative Audit and Fiscal Review Committee receive a status report at its next meeting from the Department of Public Instruction and the Attorney General's office regarding the lawsuit against Dakota Nutrition, Inc.**

Senator Solberg said due to previous issues at the University of North Dakota and the UND Aerospace Foundation and the problems those issues caused for the past president of the university, he would like the State Auditor's office to perform an audit of the UND Aerospace Foundation. He said by completing this audit the new president will be able to begin his tenure at the university without the fiscal irregularity issues from prior administrations creating tension between his administration and the legislative branch.

**It was moved by Senator Solberg and seconded by Senator Mutch that the Legislative Audit and Fiscal Review Committee request the State Auditor's office to perform an audit of the UND Aerospace Foundation.**

Mr. Smith said the State Auditor's office can only look at the UND Aerospace Foundation records and transactions involving state funds. He said the audit could not be an all-encompassing audit because the UND Aerospace Foundation is a private nonprofit organization.

Mr. Robert R. Peterson, State Auditor, said the last North Dakota University System Comprehensive Annual Financial Report, which was presented to this committee in January 1999, included an audit of the UND Aerospace Foundation's transactions involving state funds. He said the Attorney General has made it clear that the State Auditor's office does not have the authority to audit all transactions of the UND Aerospace Foundation. Mr. Peterson said when the State Auditor's office begins the next North Dakota University System Comprehensive Annual Financial Report, it will again audit the transactions of the UND Aerospace Foundation involving state funds.

Representative Byerly said he would oppose the original motion because it is a duplication of work that is already going to be performed by the State Auditor's office. He said if the committee wants an update on the dealings of the UND Aerospace Foundation and the University of North Dakota, the committee could request that representatives from the two entities attend the next meeting.

Representative Winrich said he also opposes the motion since the State Auditor's office will be performing this work during its normal course of auditing the North Dakota University System and because it continues the public's perception of continued attacks against the University of North Dakota by this committee.

**A substitute motion was made by Representative Byerly, seconded by Representative Belter, and carried on a voice vote that the Legislative Audit and Fiscal Review Committee receive a report at its next meeting from representatives of the UND Aerospace Foundation and the University of North Dakota regarding the status of the foundation's activities with the University of North Dakota.**

Mr. Smith presented a report on the status of recommendations from the Children's Services Coordinating Committee performance audit. A copy of the report is on file in the Legislative Council office. Mr. Smith said the original performance audit contained 39 recommendations. He said during the review of the status of the recommendations, it was determined that 19 recommendations were fully implemented, 13 recommendations were partially implemented, one recommendation was not implemented, and six recommendations were no longer applicable.

Lieutenant Governor Rosemarie Myrdal, Chairman, Children's Services Coordinating Committee, complimented the State Auditor's office for its work done for the Children's Services Coordinating Committee. She said due to the small staff of the Children's Services Coordinating Committee they have relied on the State Auditor's office for assistance in implementing the recommendations contained in the performance audit. She said the Children's Services Coordinating Committee realizes it still has a lot of work left regarding the implementation of all the recommendations contained in the performance audit and will continue to strive toward improving the services of the Children's Services Coordinating Committee.

Mr. Smith presented a report on the risk analysis of the programs within the Department of Human Services. A copy of the report is on file in the Legislative Council office. He said the risk analysis was undertaken upon the request of this committee.

Mr. Smith said based upon the work performed for the risk analysis, the eight programs with the highest

risk rating within the Department of Human Services were as follows:

1. Child support enforcement.
2. Nursing home facilities.
3. Developmental Center.
4. Temporary assistance for needy families benefits.
5. Aging community services.
6. Foster care.
7. Institutional care (mental health).
8. Service payments for elderly and disabled (SPED) and expanded SPED.

Mr. Smith said as a result of this risk analysis the State Auditor's office has decided to conduct a performance audit of the aging services and SPED and expanded SPED programs within the Department of Human Services. He said the results of the performance audit will be presented to this committee upon the completion of the performance audit.

Ms. Brenda Weisz, Department of Human Services, thanked the State Auditor's office for its cooperation and work done on the risk analysis of the programs within the Department of Human Services.

Mr. Donald LaFleur, State Auditor's office, presented the state payroll system application audit. A copy of the report is on file in the Legislative Council office. He said the report contains a clean opinion. He said the report does not contain any findings or recommendations.

**It was moved by Representative Byerly, seconded by Senator Klein, and carried on a voice vote that the Legislative Audit and Fiscal Review Committee receive a report on the status of the Lake Agassiz Regional Planning Council's dissolution of its nonprofit corporation and on the Department of Economic Development and Finance's dispute with the Lewis and Clark Regional Development Council.**

Mr. Chuck Lang, Office of Management and Budget, reviewed the state of North Dakota departmental statements by fund report for the fiscal year ended June 30, 1998. He said the report contains a statement of assets, liabilities, and fund equity and a statement of revenues and expenditures by fund for each agency and institution of the state. He said only the general fund portion of the higher education funding is included in the report.

In response to earlier committee questions, Mr. Smith said the lawsuit filed in regard to the single audit finding relating to the Department of Public Instruction was filed in November 1998. He said Dakota Nutrition, Inc., was a private nonprofit organization in Minot.

In response to a question from Representative Maragos, Ms. Maggie Anderson, Department of Public Instruction, said the federal regulations do not allow a state agency to be the sponsor of the program. She said because of that regulation the state must contract with subrecipients such as Dakota

Nutrition, Inc. Ms. Anderson said the child care providers prepare monthly reports showing the number of meals provided and file these reports with the subrecipient. She said the subrecipient then accumulates the reports from all child care providers it contracts with and files a single report with the Department of Public Instruction. She said the amount in question arose over a two and one-half year period.

In response to a question from Representative Timm, Ms. Anderson said she does not think fraud was involved in regard to the \$1.4 million of unsubstantiated provider payments. She said when the contract with Dakota Nutrition, Inc., was discontinued, the providers were reassigned to other subrecipients. She said the Department of Public Instruction did not find that any of the providers contracted through Dakota Nutrition, Inc., were false providers. She said in addition to all the providers being actual providers, not one of the providers informed the Department of Public Instruction that they had not received their funding from Dakota Nutrition, Inc. She said because of this she does not think the \$1.4 million of provider payments was fraudulently misused. She said there may have been a lack of proper recordkeeping and management ability within Dakota Nutrition, Inc.

In response to a question from Representative Timm, Ms. Anderson said \$12,438 of administrative funds which cannot be accounted for related to items which did not have receipts to verify the expenditure or to items which were double billed by Dakota Nutrition, Inc.

Representative Aarsvold said this committee should not be critical of the Department of Public Instruction since it is operating this program in accordance with federal guidelines. He said in addition it was the work of the Department of Public Instruction that uncovered the error. He said the department has since turned the matter over to the Attorney General and has done everything it possibly can to correct the problem.

Ms. Anderson said they were recently informed by the Attorney General's office that the defendants have not responded to the lawsuit, so action is being taken for a default judgment.

In response to a question from Representative Wald, Ms. Anderson said the lawsuit filed against Dakota Nutrition, Inc., was for the entire \$1,412,438, or the records of Dakota Nutrition, Inc., which would verify the payments.

The committee delayed action on the following audit reports and requested that they be presented at the next committee meeting:

- State Fair Association (September 30, 1998 and 1997)
- Milk Marketing Board (two-year period ended June 30, 1998)
- Potato Council (two-year period ended June 30, 1998)

- Wheat Commission (two-year period ended June 30, 1998)
- Barley Council (two-year period ended June 30, 1998)
- Board of Cosmetology (June 30, 1998)
- Stockmen's Association (December 31, 1998 and 1997)

**It was moved by Representative Kelsch, seconded by Representative Lemieux, and carried that the committee accept the following reports:**

- **Audit reports presented to the committee**
  - **For the year ended June 30, 1998**  
Retirement and Investment Office  
Public Employees Retirement System  
Veterans Home  
Job Service North Dakota  
Departmental statement by fund report
  - **For the years ended June 30, 1998 and 1997**  
North Dakota Mill and Elevator Association  
Workers Compensation Bureau  
Board of University and School Lands  
Housing Finance Agency  
PACE fund  
Ag PACE fund  
Technology Transfer, Inc.  
Single audit report
  - **For the years ended December 31, 1998 and 1997**  
Bank of North Dakota
  - **For the two-year period ended June 30, 1998**  
Secretary of State  
Adjutant General
  - **For the period July 1, 1998, through September 25, 1998**  
State payroll system - Information technology application audit
- **Audit reports available but not selected for presentation to the committee**  
North Dakota Building Authority (June 30, 1998 and 1997)  
Guaranteed student loan program (September 30, 1998 and 1997)  
North Dakota student loan trust (June 30, 1998 and 1997)  
North Dakota real estate trust (June 30, 1998 and 1997)  
Veterans Affairs (two-year period ended June 30, 1998)  
Dairy Promotion Commission (two-year period ended June 30, 1998)  
Dry Bean Council (two-year period ended June 30, 1998)

**Oilseed Council (two-year period ended June 30, 1998)**  
**Soybean Council (June 30, 1998)**  
**Dry Pea and Lentil Council (June 30, 1998)**  
**Corn Utilization Commission (two-year period ended June 30, 1998)**  
**Seed Department (two-year period ended June 30, 1998)**  
**Beef Commission (June 30, 1998)**  
**Board of Barber Examiners (August 31, 1997 and 1996)**  
**Board of Funeral Service (June 30, 1998 and 1997)**  
**Board of Massage (June 30, 1997)**  
**Board of Nursing (June 30, 1998 and 1997)**  
**Board of Examiners for Nursing Home Administrators (June 30, 1998 and 1997)**  
**Board of Occupational Therapy Practice (May 31, 1998 and 1997)**  
**Board of Registration for Professional Engineers and Land Surveyors (June 30, 1998 and 1997)**  
**Real Estate Commission (June 30, 1998 and 1997)**

**Board of Water Well Contractors (June 30, 1998 and 1997)**  
**Board of Counselor Examiners (June 30, 1998 and 1997)**  
**Board of Respiratory Care (January 31, 1999, and September 30, 1998 and 1997)**

Representatives Wald, Aarsvold, Belter, Byerly, Kelsch, Lemieux, Maragos, and Winrich and Senators Cook, Kelsh, Kilzer, Klein, O'Connell, and Solberg voted "aye." No negative votes were cast.

The meeting was adjourned at 3:30 p.m.

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Paul R. Kramer  
Senior Fiscal Analyst

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Chester E. Nelson, Jr.  
Legislative Budget Analyst and Auditor

ATTACH:2