

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE COUNCIL

Friday, January 7, 2000
Roughrider Room, State Capitol
Bismarck, North Dakota

Senator Gary J. Nelson, Chairman, called the meeting to order at 2:00 p.m.

Members present: Senators Gary J. Nelson, Aaron Krauter, Elroy N. Lindaas, Larry J. Robinson; Representatives Merle Boucher, John Dorso, Clara Sue Price, Francis J. Wald, John M. Warner

Members absent: Senators Randel Christmann, David E. Nething, Wayne Stenehjem; Representatives William R. Devlin, Eliot Glassheim, John Mahoney

Others present: Jack Dalrymple, State Representative, Casselton

Richard Kloubec, former State Representative, Fargo

Rod St. Aubyn, State Senator, Grand Forks

Mel Kambeitz, Kent Blickensderfer; U S West, Bismarck

Dale Wetzel, Associated Press, Bismarck

Chester E. Nelson, Jr., Jim W. Smith; Legislative Council, Bismarck

It was moved by Senator Lindaas, seconded by Representative Warner, and carried on a voice vote to dispense with the reading of the minutes of the June 3, 1999, meeting and to approve the minutes as distributed.

Chairman Nelson said this meeting had been called for the purpose of considering the appointment of a legislative budget analyst and auditor as a result of the announced retirement of Mr. Chester E. Nelson, Jr. He said Mr. Nelson has served for 34½ years on the job, and he expressed appreciation for the contributions to the legislative branch by Mr. Nelson. Chairman Nelson said although he will be missed, it is reassuring to know that Chet will only be a phone call away.

Chairman Nelson read Mr. Nelson's letter of resignation. He noted that the official retirement date is March 31, 2000, or the day after the Public Employees Retirement System makes a transfer on his behalf of retirement funds to a defined contribution fund, whichever date is later. He asked Mr. Nelson for an explanation of that language. Mr. Nelson said the 1999 Legislative Assembly provided for a defined contribution plan and if an employee elects to become a participating member of the defined contribution retirement plan, the Public Employees Retirement System Board makes a transfer to the participating member's account. He said it is necessary to comply

with the technical provisions in the law and that is the reason for the language in the letter concerning the date of his official retirement.

Mr. Nelson said he has enjoyed working with the Legislative Council for 34½ years. He said at the time he interviewed for the position in 1965, he was told that it had career possibilities, and he said that prediction has definitely been realized. He said he has never been involved in the internal aspects of the political process, but he has seen the development of the state's fiscal process. He said he has always believed that legislators should have complete fiscal information, and he has seen improvements in the availability of that information. Mr. Nelson said a comprehensive audited financial statement for the state is now a reality. He said he knows there will be increased demands on the staff and he leaves wishing the Legislative Council and its staff the best in the future.

Chairman Nelson said Mr. Nelson's position is one of two statutory appointments the Legislative Council makes--the positions of director and legislative budget analyst and auditor. He said he recommended the Legislative Council appoint Mr. Jim Smith to replace Mr. Nelson as legislative budget analyst and auditor.

It was moved by Representative Wald and seconded by Senator Robinson that the Legislative Council appoint Mr. Jim Smith as legislative budget analyst and auditor.

Senator Krauter said Mr. Smith has always delivered prompt information. He said he has been impressed by the accuracy of Mr. Smith's work.

Chairman Nelson said Mr. Nelson has prepared Mr. Smith for this position. He said during the last two years Mr. Smith has carried an increased level of responsibility.

Representative Wald said the Legislative Council staff has always provided prompt and accurate information and has never acted in a partisan way.

Representative Boucher said Mr. Smith has had a tremendous teacher, and he believes he is ready for the position.

Senator Robinson said when Mr. Nelson was on medical leave a few years ago, he realized there would be a void on the staff when Chet retired. However, it made him think about the strength of the rest of the staff, and he has confidence in the

continuity that Mr. Nelson has prepared for. He said he is sure Mr. Smith and the rest of the staff will carry on.

Chairman Nelson said Mr. Nelson has always seen to it that the Legislative Assembly fulfilled its constitutional responsibilities regarding fiscal matters.

Chairman Nelson called for a vote on the motion. Senators Krauter, Lindaas, Nelson, and Robinson and Representatives Boucher, Dorso, Price, Wald, and Warner voted "aye." No negative votes were cast. Chairman Nelson announced that Mr. Jim Smith has been appointed legislative budget analyst and auditor.

Mr. Nelson expressed appreciation for the staff he has had the privilege to work with. He said both the fiscal and legal staffs have been some of the best people he could imagine working with. He said he believes the Legislative Council staff is in good hands.

Chairman Nelson noted that the Legislative Council staff has not only trained the current staff, but he noted all the people in responsible positions throughout state government who were trained by the Legislative Council staff.

Chairman Nelson called on Mr. Smith. Mr. Smith expressed his appreciation for the vote of confidence. He said he looks forward to the challenges of serving as legislative budget analyst and auditor. He noted that the staff had recently hired one fiscal analyst and another will now have to be hired. He said the fiscal staff needs to continue to provide professional staff services. He thanked the director and the current legislative budget analyst and auditor for their support for him regarding this appointment.

Mr. Smith announced that Mr. Allen H. Knudson was being promoted to assistant legislative budget analyst and auditor, the position that Mr. Smith currently holds. He said Mr. Joe Morrisette, Senior Fiscal Analyst, and Ms. Roxanne Hobza, Fiscal Analyst, round out the current fiscal staff.

The director pointed out that Mr. Nelson's retirement would not be effective before April 1, 2000, and he continues in the position of Legislative Budget Analyst and Auditor even though he plans to be on annual leave. He said Mr. Smith will continue in his role as assistant legislative budget analyst and auditor until the appointment is effective.

Senator Robinson noted that several members of the Legislative Council staff had entered the room. He said as a member of the Legislative Council he seldom had the opportunity to thank the staff for their work, and he wanted to take advantage of this opportunity to express his appreciation for the work of the staff.

Chairman Nelson announced a reception would be held honoring Mr. Nelson on his retirement in Memorial Hall from 3:00 to 4:30 p.m.

No further business appearing, Chairman Nelson adjourned the meeting at 2:25 p.m.

John D. Olsrud
Director