

Second Day of Legislative Organizational Session**JOURNAL OF THE HOUSE****Sixty-eighth Legislative Assembly**

* * * * *

Bismarck, December 6, 2022

The House convened at 8:30 a.m., with Speaker D. Johnson presiding.

The prayer was offered by Pastor Keith Ritchie, Cornerstone Community Church, Bismarck.

The roll was called and all members were present except Representatives Christy, Klemin, Koppelman, and Ostlie.

A quorum was declared by the Speaker.

ANNOUNCEMENT

SPEAKER D. JOHNSON ANNOUNCED that the House will stand at ease to receive the Senate for a Joint Session.

MOTION

REP. BOSCH MOVED that a committee of four be appointed to escort the Honorable Lt. Governor Brent Sanford to the rostrum, which motion prevailed.

SPEAKER D. JOHNSON APPOINTED Reps. Headland, Pyle, Weston, and Boehm to the escort committee.

JOINT SESSION

LT. GOVERNOR SANFORD CALLED the Joint Session to order and introduced Rep. Weisz, Chairman of Legislative Management; John Bjornson, Director of Legislative Council; Allen Knudson, Legislative Budget Analyst; Emily Thompson, Legal Division Director, who presented their respective reports.

LT. GOVERNOR SANFORD CALLED upon Jennifer Clark, Code Revisor and Senior Counsel for Legislative Council, for a presentation on the Legislative Assembly Workplace Harassment Policy, Legislative Ethics, Social Media, and Laws and Rules Governing the Activities and Conduct of Public Officials.

LT. GOVERNOR SANFORD CALLED upon Mark Quiner, Director, Center for Ethics in Government, and Angela Andrews, Senior Professional Development Partner, Legislative Training Institute, National Conference of State Legislatures, for a presentation on workplace harassment and legislative ethics.

LT. GOVERNOR SANFORD CALLED upon House Majority Leader Lefor for his remarks on workplace harassment and legislative ethics.

REMARKS OF MAJORITY LEADER LEFOR

Serving in the North Dakota Legislature is an honor and a privilege. Out of around 760,000 people in this state, only 141 of us have the opportunity to serve. The voters of your district sent you here with an important job: to create good public policy and to spend the taxpayers' dollars wisely. Part of your job as a legislator is to understand and follow the rules governing workplace harassment and legislative ethics, so that we can stay focused on the important issues facing North Dakotans. As you have just heard, the legislature has a workplace harassment policy in place, which can be summarized as: "Everyone has a right to an environment free from workplace harassment." This policy applies equally to staff, lobbyists, legislative council, and our colleagues in the legislature. We need to treat everyone with the respect they deserve. We want you to feel comfortable coming to leadership with a question or complaint about workplace harassment, whether you are a freshman or veteran, a staffer or legislator, a Republican or Democrat. We will listen to you and will follow the procedures outlined in the policy. You also heard about the new legislative ethics law, which came from a vote in the 2018 election approving a new constitutional amendment. This law also created

an ethics commission with broad rulemaking authority. It is your job as a legislator to read and understand the policy and to abide by its rules. If you have questions, please do not hesitate to reach out to Legislative Council. They are there to provide clarity when ethical gray areas arise. Let's set a high bar going into the 2023 legislative session. As public officials, what you say matters, and your words and actions reflect on your colleagues as well. It is important to think before you speak, and when you are in doubt, err on the side of caution. As you heard: What you put on social media matters, too. Social media can be a great tool for connecting with your constituents, but too often it becomes a distraction from the real issues. During the session, you will be inundated with texts, calls, emails, and social media messages. Some of these will make you upset. My advice to you is to never reply when you are angry. Remember that we have an important job to do and wait until you have had time to cool down before responding.

LT. GOVERNOR SANFORD CALLED upon Senate Majority Leader Hogue for his remarks on workplace harassment and legislative ethics.

REMARKS OF MAJORITY LEADER HOGUE

I know I've been allocated five minutes to discuss workplace harassment and legislative ethics, but that time allotment hardly seems necessary given the lesson we just heard. I submit my words are unnecessary because all 141 of us have reached that stage in our personal lives, in our professional lives, and in our spiritual lives where we know right from wrong, and when we know what is appropriate and what is inappropriate behavior in the workplace. You all know intuitively what workplace sexual harassment is. So, it seems to me the challenge is not to know substantively what workplace harassment is, but really to have the will and the intestinal fortitude to align your behavior with what we know to be right. How do we keep our guard up and maintain that professionalism throughout this process? I think that alignment comes from realizing how hard we've all worked to get here, and all the sacrifices we've made to be given the opportunity to serve the people of North Dakota. It's a privilege to serve in these chambers, although it doesn't always look like it. There are members of my caucus who went through a grueling nine-month campaign where they ran in a contested endorsing convention, then they ran in a contested primary election, and then they ran a third time in a contested general election. All that and they finally got hired yesterday when they raised their right hand and took an oath. And this morning they lost their coveted parking spot because the snow covered up the number assigned to them. A lot of sacrifices, Mr. Speaker. So, my advice this morning, Mr. Speaker, is for us all to maintain our professional bearing for the duration of our service here. It's what the people of North Dakota expect and what our colleagues deserve.

LT. GOVERNOR SANFORD CALLED upon House Minority Leader Boschee for his remarks on workplace harassment and legislative ethics.

REMARKS OF MINORITY LEADER BOSCHEE

We all have the distinct honor of being a temporary placeholder in the role of representing our respective districts and communities. This is a privilege granted to each and every one of us to act on behalf of all North Dakotans who reside in our districts, not just the ones who voted for us. As we begin the upcoming session, it is my hope that as a member of the 68th Legislative Assembly, our individual and collective actions are done with integrity, honesty, and mutual respect. We will certainly agree and disagree over the next five months, but how we do so will determine how we are remembered. While we may have different political ideologies and philosophies on how to execute our role as legislators, we are all held to the same standard when it comes to workplace harassment and legislative ethics. Regardless of party or seniority, the processes outlined by our presenters this morning are the great equalizer that ensures each of us, the staff who make this process all work, and guests to the Assembly are treated respectfully and free from harassment. These policies and processes are no longer theoretical to this body. They have evolved over the past year based on the reality of harassment that occurred last session and tested the level of tolerance this body holds as to how staff and legislators will be treated. As North Dakotans who are bestowed with one of the highest honors to serve our communities, each of us has a duty to report unethical behavior and harassment that we observe. The integrity of this body depends on each of us playing a role in ensuring that the Legislative Assembly and our lawmaking processes are held to the highest standards.

LT. GOVERNOR SANFORD CALLED upon Senate Minority Leader Hogan for her remarks on workplace harassment and legislative ethics.

REMARKS OF MINORITY LEADER HOGAN

Serving in this legislature is a tremendous responsibility and excellent opportunity for us as individuals and as politicians to demonstrate that people can work together in a dignified and respectful manner to problem solve and to improve the lives of all North Dakotans. The ethics measure of 2018 and the workplace harassment policy became necessary when a few individuals and groups did not follow basic standards of civil behavior. We need to respect everyone equally. Our personal behavior impacts the reputation of both chambers and can create unnecessary fear and anxiety. The next five months are a pressure cooker - every person in this chamber will be under stress, so we need to take care of ourselves and each other. When you see someone having a bad day, reach out offer a smile, say something kind, and listen. We need to consider all the opinions and people involved to be genuinely fair and impartial. Good policies come from good open discussion. During my campaign, I loved asking children at the door from six to 16, "If you could make one rule or law that everyone in North Dakota had to follow, what would that law be?" Some said, "We should have a zoo in every town," or schools needed more bus drivers or lockers, "Slow down in the car." Almost half of the 40 plus children I talked to said we need a rule to make people be kind, no swearing, bullying or yelling at anyone, or "Tell people to love one another." My greatest hope for this session is that it will reflect a process that our children and grandchildren will be proud of 20 years from now. We can't really make a law to make everyone love one another, a tenet of all major world religions, but we can demonstrate how it is done. Let us show compassion and kindness. I invite you to make this a session that will be remembered for being dignified so that the public will say "those politicians in Bismarck are respectful people who work together well."

MOTION

REP. BOSCH MOVED that the remarks of the Majority and Minority Leaders be printed in the journal, which motion prevailed.

MOTION

REP. BOSCH MOVED that the Joint Session be dissolved, which motion prevailed.

MOTION

REP. BOSCH MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. BOSCH MOVED that the House stand adjourned until 8:00 a.m., Wednesday, December 7, 2022, which motion prevailed.

The House stood adjourned pursuant to Representative Bosch's motion.

Buell J. Reich, Chief Clerk

