

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATIVE COUNCIL

Saturday, April 23, 2005  
Prairie Room, State Capitol  
Bismarck, North Dakota

Senator Bob Stenehjem, Chairman, called the meeting to order at 10:45 p.m.

**Members present:** Senators Bob Stenehjem, Dick Dever, Ray Holmberg, Karen K. Krebsbach, Stanley W. Lyson, Aaron Krauter, David O'Connell, Larry J. Robinson; Representatives Rick Berg, Al Carlson, William R. Devlin, Matthew M. Klein, Chet Pollert, Merle Boucher, Lois Delmore, Scot Kelsh, Joe Kroeber

**Others present:** Randel Christmann, State Senator, Hazen

Jim W. Smith, Jeffrey N. Nelson; Legislative Council, Bismarck

James Warden, Associated Press, Bismarck

Janell Cole, *The Forum*, Fargo

Bradley C. Fay, Chief Clerk, House of Representatives, Bismarck

Chairman Stenehjem announced that nominations for chairman of the Legislative Council were open.

Senator Holmberg nominated Senator Stenehjem, seconded by Senator Dever. Representative Devlin nominated Representative Berg, seconded by Representative Carlson. Representative Kroeber nominated Representative Boucher, seconded by Representative Kelsh.

In response to a question from Representative Carlson as to the procedure when three nominations have been made, Mr. John D. Olsrud, Director, Legislative Council, referred to *Mason's Manual of Legislative Procedure*, Section 553, which provides that a majority vote is necessary to elect officers and a plurality is not sufficient. On a roll call vote, Senators Stenehjem, Dever, Holmberg, Krebsbach, Lyson, and O'Connell voted for Senator Stenehjem; Representatives Berg, Carlson, Devlin, Klein, and Pollert voted for Representative Berg; and Senators Krauter and Robinson and Representatives Boucher, Delmore, Kelsh, and Kroeber voted for Representative Boucher.

Representative Boucher withdrew his name from nomination. On a roll call vote, Senators Stenehjem, Dever, Holmberg, Krebsbach, Lyson, Krauter, O'Connell, and Robinson and Representative Delmore voted for Senator Stenehjem. Representatives Berg, Carlson, Devlin, Klein, Pollert, Boucher, Kelsh, and Kroeber voted for Representative Berg. Senator Stenehjem was elected chairman.

Chairman Stenehjem announced that nominations for vice chairman of the Legislative Council were open.

Representative Devlin nominated Representative Berg, seconded by Representative Carlson. **It was moved by Senator O'Connell, seconded by Senator Holmberg, and carried on a voice vote that a unanimous ballot be cast for Representative Berg as vice chairman of the Legislative Council.**

The director described the process for selecting studies and establishing interim committees. Usually, he said, the Council meets two to three weeks after the legislative session to review study directives and establish priorities for discretionary studies. He said the Council traditionally authorizes the chairman to establish a committee structure based on the study directives approved for the interim, and a survey is sent to each legislator asking for committee preferences. He said it takes approximately two to three weeks to distribute, return, and tabulate the results from legislators. He said the chairman puts together a tentative committee list and presents that list to the Legislative Council, which approves the committee membership assignments.

The Council discussed various dates for meeting in May and June. After reviewing conflicts members had on various dates, Chairman Stenehjem announced the Legislative Council would meet on Thursday, May 19, to prioritize studies and on Wednesday, June 22, to approve an interim committee structure.

The director informed the Council that by statute the 60th Legislative Assembly organizational session would convene on Monday, December 4, 2006, and the regular session would convene on Tuesday, January 9, 2007, unless the Legislative Council establishes other dates. He said January 9 would be among the latest dates for convening the regular session. He said the Legislative Council has the authority to establish a convening date for the organizational session between December 1 and December 15 and for the regular session between January 2 and January 11. He said the Council staff has received inquiries concerning the date the 2007 legislative session will convene. If a date other than January 9, 2007, is to be selected by the Legislative Council, he said, that decision should be made during

the May or June meeting of the Council so that people can make plans accordingly.

No further business appearing, Chairman Stenehjem adjourned the meeting at 11:00 p.m.

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Jay E. Buringrud  
Assistant Director

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John D. Olsrud  
Director