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## LEGISLATIVE MANAGEMENT

Thursday, June 26, 2025  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator David Hogue, Chairman, called the meeting to order at 9:04 a.m.

**Members present:** Senators David Hogue, Brad Bekkedahl\*, Josh Boschee, Kathy Hogan, Jerry Klein, Janne Myrdal, Ronald Sorvaag; Representatives Glenn Bosch, Kathy Frelich, LaurieBeth Hager, Jared C. Hagert, Dori Hauck, Zachary Ista, Mike Lefor, Jonathan Warrey, Robin Weisz

**Member absent:** Senator Kyle Davison

**Others present:** Grant Gader, Austin Gunderson, Allen H. Knudson, Adam Mathiak, and Emily Thompson, Legislative Council, Bismarck

See [appendix](#) for additional persons present.

*\*Attended remotely*

**It was moved by Senator Myrdal, seconded by Senator Klein, and carried on a voice vote that the minutes of the May 28, 2025, meeting be approved as distributed.**

## STATUTORY APPOINTMENTS

Chairman Hogue reviewed the additional statutory appointments the committee is required to make.

**It was moved by Representative Lefor, seconded by Representative Warrey, and carried on a voice vote that Representative Pat D. Heinert and Representative David Richter be appointed to the Kindergarten Through Grade Twelve Education Coordination Council under North Dakota Century Code Section 15.1-01-04.**

**It was moved by Representative Hagert, seconded by Representative Lefor, and carried on a voice vote that Senator Dale Patten and Representative Bosch be reappointed as co-chairmen of the Clean Sustainable Energy Authority under Section 54-63.1-03.**

**It was moved by Senator Myrdal, seconded by Representative Bosch, and carried on a voice vote that Senator Randy D. Lemm be reappointed to the Veterinary Medical Education Program Admissions Committee under Section 15-10-43.**

**It was moved by Senator Sorvaag, seconded by Representative Ista, and carried on a voice vote that the following individuals be appointed to the Veterinary Medical Education Program Admissions Committee:**

- **Dr. Sheela Ramamoorthy as the faculty member and Dr. Lisa Christenson as the alternate;**
- **Dr. Sara Fridrych as the veterinarian member and Dr. Paul Motter as the alternate; and**
- **Mr. Kevin Elliott as the livestock producer member and Mr. Jeff Bunn as the alternate.**

**It was moved by Representative Weisz, seconded by Senator Myrdal, and carried on a voice vote that Senator Kyle Davison and Representative Glenn Bosch be reappointed to the Statewide Interoperability Executive Committee under Section 37-17.3-02.2.**

### **SUPPLEMENTARY RULES OF OPERATION AND PROCEDURE**

Mr. John Bjornson, Director, Legislative Council, reviewed the [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#). He noted no substantive changes have been made to the rules used during the previous interim.

In response to a question from a committee member, Mr. Bjornson noted a directive from the Chairman to form a subcommittee or a directive for several members of the committee to conduct research and report back to the committee may constitute a subcommittee.

**It was moved by Senator Klein, seconded by Senator Myrdal, and carried on a voice vote that the *Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management* be approved.**

Chairman Hogue noted he will briefly be absent from the meeting and Vice Chairman Lefor will be presiding as Acting Chairman.

### **INTERIM COMMITTEE APPOINTMENTS**

Acting Chairman Lefor reviewed the process of appointing interim committee members. He noted:

- After the studies were selected at the previous meeting, the selected studies were sorted into a proposed [committee structure](#) and legislators were sent a survey to indicate their committee membership preferences.
- Certain committees have a membership limited or determined by statute; however, most legislators were placed on the committee listed as their first or second choice.
- The total proposed number of interim committee members is about 50 less than the number of members appointed to interim committees during the previous interim.

Acting Chairman Lefor called for any additions or changes to the proposed committee structure.

**It was moved by Representative Ista, seconded by Senator Hogan, and carried on a voice vote that Representative Collette Brown be added to the Education Committee and Representative Austin Foss be added to the Government Finance Committee.**

**It was moved by Representative Weisz, seconded by Representative Bosch, and carried on a voice vote that the following changes be made to the interim committee membership:**

- **Representative SuAnn Olson be added to the Education Committee;**
- **Representative Mike Beltz replace Representative Jorin Johnson on the Water Topics Overview Committee;**
- **Representative Jason Dockter be added to the Tax Reform and Relief Advisory Committee; and**
- **Representative Gregory Stemen be added to the Government Finance Committee.**

**It was moved by Senator Hogan, seconded by Representative Hauck, and carried on a roll call vote that the committee structure, as presented and revised, be approved.** Senators Bekkedahl, Boschee, Hogan, Klein, Myrdal, and Sorvaag and Representatives Lefor, Bosch, Frelich, Hager, Hagert, Hauck, Ista, Warrey, and Weisz voted "aye." No negative votes were cast.

Chairman Hogue returned to preside over the meeting.

**It was moved by Senator Sorvaag, seconded by Senator Klein, and carried on a voice vote that Mr. Levi Bachmeier replace Mr. Jeffrey Volk on the Higher Education Grant Review Committee.**

### **EMPLOYEE ASSISTANCE PROGRAM**

Mr. Bjornson provided information relating to participation in an employee assistance program.

**It was moved by Senator Myrdal, seconded by Representative Weisz, and carried on a voice vote that the Legislative Assembly and the Legislative Council continue to participate in the employee assistance program.**

### **2025-27 BIENNIUM OIL AND GAS ESTIMATIONS**

Mr. Adam Mathiak, Senior Fiscal Analyst, Legislative Council, presented a memorandum entitled [2025-27 Biennium Estimated Oil and Gas Tax Allocations - Alternate Scenarios](#). He noted:

- The memorandum compares the 2025-27 biennium estimated oil and gas tax revenue allocations based on the 2025 legislative forecast with two lower production oil scenarios.
- The first scenario estimates a 13 percent decline in oil production, producing 975,000 barrels of oil per day at \$58 per barrel.
- The second scenario estimates the same 13 percent decline in oil production, producing 975,000 barrels of oil per day, coupled with a 15 percent decline in oil prices at \$49 per barrel.

### **FEDERAL FUNDING REDUCTIONS**

Mr. Grant Gader, Fiscal Analyst, Legislative Council, presented a memorandum entitled [Proposed Federal Funding Reductions and Rescissions](#). He noted the memorandum reviews the potential impact of the One Big Beautiful Bill Act, currently under consideration in Congress, and recent federal funding rescissions, cancellations, and expirations that have impacted the state.

### **REDISTRICTING UPDATE**

Mr. Austin Gunderson, Counsel, Legislative Council, presented a memorandum entitled [Redistricting Litigation Update](#). He noted:

- In *Turtle Mountain Band of Chippewa Indians v. Howe*, 137 F.4<sup>th</sup> 710 (8<sup>th</sup> Cir. 2025), the Eighth Circuit Court of Appeals held individuals do not have a private right to action to sue the state government for alleged violations of Constitutional Rights.
- Once executed, the court's ruling will have the effect of reverting the legislative boundaries to those passed during the 2021 special session, which would impact the boundaries of Districts 9 and 15.
- The plaintiffs filed a petition for rehearing en banc with the Eighth Circuit Court of Appeals, which is still pending with the court.
- If the petition is denied, the plaintiffs may file a petition for a writ of certiorari with the United States Supreme Court requesting the Supreme Court hear the case.

In response to questions from committee members, Mr. Gunderson noted:

- The situation at hand is a case of first impression; however, historically legislators have been allowed to remain in their districts for the term to which they were elected.
- Depending on the duration of the appeals process and any stay applied to the Eighth Circuit Court of Appeals ruling, the situation potentially could become moot as we draw closer to the next primary or general election.

### **ATTORNEY GENERAL VETO OPINION**

Ms. Emily Thompson, Legal Division Director, Legislative Council, presented a memorandum entitled [Analysis of Attorney General Opinion Regarding Veto Errors](#).

In response to questions from committee members, Ms. Thompson noted:

- The Attorney General's opinion acknowledges the Constitution of North Dakota requires the governor to return two items to effectuate a veto, the veto letter and the bill. However, the language in the constitution specifies "the vetoed item or bill" which could imply a different format for an unsigned, fully vetoed bill with no markings and a partially vetoed bill (an item veto) for which the vetoed portions are identified by striking the language on the face of the bill.
- In the 2018 case of *North Dakota Legislative Assembly v. Burgum*, the Supreme Court noted the governor may not subsequently modify or withdraw his veto by agreeing with an Attorney General opinion.
- The Legislative Assembly has several options if the legislature wishes to address the veto error, including asking the Supreme Court to weigh in on the matter, reconvening for a brief veto override session, reconvening for at least 3 legislative days to pass a new bill to clarify the status of the \$35 million appropriation, or enacting legislation to clarify the manner in which a veto must be effectuated to avoid future confusion surrounding vetoes.

In response to a question from a committee member, Ms. Thompson noted the Legislative Council staff can provide the committee with historical information regarding the amounts and timing of previous biennium distributions for housing projects and the North Dakota Homeless Grant Program.

**It was moved by Representative Lefor, seconded by Representative Frelich, and carried on a voice vote that the Legislative Council provide a list of options for the Legislative Management to consider at a future meeting to address the veto error.**

In response to a question from a committee member, Mr. Bjornson noted in light of the recent attack on Minnesota lawmakers, the Legislative Procedure and Arrangements Committee may seek to receive a presentation on security from Capitol Security and the Highway Patrol.

No further business appearing, Chairman Hogue adjourned the meeting at 2:02 p.m.

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John Bjornson  
Director

ATTACH:1