



LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Wednesday, August 13, 2025
Brynild Haugland Room, State Capitol
Bismarck, North Dakota

Senator Jerry Klein, Chairman, called the meeting to order at 10:00 a.m.

Members present: Senators Jerry Klein, Josh Bosch, Sean Cleary, Kyle Davison*, Kathy Hogan, David Hogue, Kristin Roers*; Representatives Glenn Bosch, Jared C. Hagert, Zachary Ista*, Mike Lefor, Anna S. Novak, Emily O'Brien, Robin Weisz

Member absent: Representative Gretchen Dobervich

Others present: Senator Brad Bekkedahl, Williston, member of the Legislative Management
John Bjornson and Liz Fordahl, Legislative Council, Bismarck

**Attended remotely*

INTRODUCTORY REMARKS

Chairman Klein provided information regarding the duties and responsibilities of the committee.

Ms. Emily Thompson, Legal Division Director, Legislative Council, presented a memorandum entitled [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#).

LEGISLATIVE SPACES IN THE CAPITOL

Ms. Thompson presented a memorandum entitled [Guidelines for Use of Legislative Chambers and Displays in Legislative Assembly Hall and Memorial Hall](#). She noted:

- The first priority for use of the chambers is for the legislative branch.
- Any requests to use the chambers when the Legislative Assembly is not in session must be approved by this committee.
- An individual is required to seek the approval of the committee before displaying any permanent displays in the Legislative Assembly Hall or Memorial Hall.
- A display is considered nonpermanent if it is displayed for 30 days or less.

In response to a question from Chairman Klein, Mr. John Bjornson, Director, Legislative Council, noted scheduling arrangements for events held in Memorial Hall are handled by the Facility Management Division of the Office of Management and Budget.

It was moved by Representative Weisz, seconded by Representative Bosch, and carried on a roll call vote that the [Guidelines for Use of Legislative Chambers and Displays in Legislative Assembly Hall and Memorial Hall](#) be approved as distributed. Senators Klein, Bosch, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Hagert, Ista, Lefor, Novak, and Weisz voted "aye." No negative votes were cast.

Ms. Thompson reviewed a memorandum entitled [Guidelines for Use of Legislative Committee Rooms in the North Dakota State Capitol](#). She noted:

- The first priority for use of legislative committee rooms is for the legislative branch.
- Any requests to use committee rooms while the Legislative Assembly is not in session must be approved by the Legislative Council.
- The use of legislative rooms for purposes contrary to those stated in the room use guidelines must be approved by this committee.

In response to a question from Chairman Klein, Mr. Bjornson noted, during the interim, the Sheyenne River Room and Coteau Room are provided for use by the judicial branch and the Pioneer Room is provided for use by the Office of Management and Budget.

It was moved by Representative Bosch, seconded by Senator Hogan, and carried on a roll call vote that the [Guidelines for Use of Legislative Committee Rooms in the North Dakota State Capitol](#) be approved as distributed. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Hagert, Ista, Lefor, Novak, and Weisz voted "aye." No negative votes were cast.

Ms. Thompson presented a request ([appendix](#)) for use of the legislative chambers. She noted the North Dakota High School Activities Association requested to use both legislative chambers for the 2026 and 2027 North Dakota High School State Student Congress on November 5-6, 2026, and November 4-5, 2027.

It was moved by Representative Lefor, seconded by Representative Novak, and carried on a roll call vote that, subject to the needs of the legislative branch, the North Dakota High School Activities Association be permitted to use both legislative chambers for the 2026 and 2027 North Dakota High School State Student Congress on November 5-6, 2026, and November 4-5, 2027. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Hagert, Ista, Lefor, Novak, and Weisz voted "aye." No negative votes were cast.

LEGISLATIVE INTERN PROGRAM

Ms. Liz Fordahl, Counsel, Legislative Council, presented a memorandum entitled [Legislative Intern Program](#). She noted the legislative intern program has been in place since 1969 and four members of the legal staff were former legislative interns.

In response to questions from committee members, Mr. Bjornson noted the Legislative Council staff will provide the committee a list of the names of the interns who have participated in the program since the program began and reach out to the University of North Dakota School of Law for input regarding whether the previous monthly stipend amount of \$3,500 per month is an adequate stipend for the 2027 legislative session.

It was moved by Representative O'Brien, seconded by Representative Hagert, and carried on a roll call vote that the legislative intern program be continued through the 2027 legislative session for at least 10 legal interns. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Hagert, Ista, Lefor, Novak, O'Brien, and Weisz voted "aye." No negative votes were cast.

In response to a question from a committee member, Ms. Thompson noted the committee would be reviewing the topic of nonlegal, chamber and committee room interns for the legislative session at a future meeting.

LEGISLATOR SECURITY

Ms. Thompson noted, following the recent tragedy in Minnesota, the Legislative Management requested this committee review issues related to legislator security and seek a presentation from the North Dakota Highway Patrol on security best practices. She noted:

- The Legislative Council staff promptly removed legislator home addresses from the legislative branch website following the events in Minnesota out of an abundance of caution.

- This committee may wish to discuss whether a policy is needed regarding the publication of legislator addresses on the legislative branch website and the preferred manner in which Legislative Council staff should respond to requests for legislator mailing lists.
- The Secretary of State also is interested in reviewing the treatment of legislator addresses on public information sites maintained by the Secretary of State.

Mr. Bjornson noted he has been in contact with the National Conference of State Legislatures and his colleagues around the country regarding legislature security. He noted:

- Some states, such as Minnesota, have provided a stipend to legislators for home security, while other states have focused on hardening security at their capitols.
- This state poses difficulties regarding home security due to its highly rural nature and the potential lag in response time due to a legislator's proximity to law enforcement resources.
- The Legislative Council staff connects legislators who may be receiving threatening calls or messages with Capitol security resources.
- When reviewing the organizational session agenda later this interim, the committee may wish to engage in discussion regarding the addition of a legislator training session on security best practices.

Committee members noted it is important to develop protocols to inform members and candidates on how to respond and who to contact when faced with threatening contact or messages. Patterns of threatening behavior from a certain individual may be easier to identify if all individuals who encounter the behavior report the behavior.

CONSIDERATION OF DRAFT LEGISLATION

Ms. Thompson noted, on July 11, 2025, the Legislative Management directed this committee to review and provide recommendations on draft legislation to clarify the procedure for the Governor to properly mark and deliver vetoes and to establish a procedure for holding a veto override session. The committee was instructed to forward its recommendations to the Legislative Management within 90 days.

Ms. Thompson presented a bill draft [\[27.0004.01000\]](#) related to clarifying the procedure for the Governor to mark and deliver vetoed bills. She noted:

- The Legislative Management expressed concerns with a recent Attorney General's opinion which concluded the markings on vetoed legislation were a mere visual aid which could be disregarded when faced with conflicting statements in the Governor's objection letter accompanying the veto.
- The bill draft seeks to clarify procedures for marking and delivering vetoed legislation going forward, and how to interpret conflicting documents if a future issue arises, in hopes of avoiding costly litigation.
- In addition to clarifying procedural processes, the bill draft changes the amount of time the Governor has to veto a bill while the Legislative Assembly is in session from 5 days to 3 days, to align the timeline provided in statute with the timeline allowed under the Constitution of North Dakota.

Committee members noted:

- It is important to be mindful of the balance of power between the three branches of government when dealing with situations such as the interpretation of ambiguous vetoes.
- Legislators need certainty in identifying the vetoed language they may be seeking to override.

It was moved by Representative Lefor, seconded by Representative O'Brien, and carried on a roll call vote that the bill draft [\[27.0004.01000\]](#) related to clarifying the procedure for the Governor to mark and deliver vetoed bills be approved and recommended to the Legislative Management. Senators Klein, Boschee, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Hagert, Ista, Lefor, Novak, O'Brien, and Weisz voted "aye." No negative votes were cast.

Ms. Thompson presented a bill draft [\[27.0005.01000\]](#) related to polling members for purposes of calling a reconvened legislative session. She noted:

- Some states hold mandatory veto override sessions, while other states use a polling method to determine whether the body will reconvene to address vetoed legislation.
- The option provided in this bill draft was modeled after polling options used in other states.
- Existing statutory provisions provide the Legislative Management with authority to call the Legislative Assembly back at its discretion if any of the unused 80 days of the legislative session remain.
- In addition to the discretionary option for the Legislative Management to call the Legislative Assembly back, the amendment language would provide a second option in which the Legislative Management would be required to call the Legislative Assembly back if two-thirds of the members request to be called back.

In response to a question from a committee member, Ms. Thompson noted neither statutory nor constitutional provisions provide a deadline by which the Legislative Assembly must reconvene if it wishes to act to override a veto, as long as action on the veto takes place before the start of the next legislative session. She noted practical timing considerations may come into play if the veto impacts funding distributions.

Committee members noted:

- A preference to leave the decision on whether to reconvene solely to the discretion of the Legislative Management in order to save legislative days that may be needed later to address unforeseen events.
- There are benefits to placing a preselected date in statute so members have certainty regarding when a reconvened session would be held if the Legislative Management decides to call legislators back.
- Possible options for a date certain would be at least 21 days after the end of the legislative session to allow the Governor's 15-day window to veto legislation to fully close.
- A date certain also could be extended further, such as 30 days following the end of the regular legislative session, to allow the Legislative Management time to meet to determine whether to issue a call to reconvene.
- A reconvened date also could be set to coincide with the first meeting of the Budget Section during the third week of June.

Chairman Klein requested the Legislative Council staff to prepare a revised draft to incorporate setting a date certain to reconvene in instances in which the Legislative Management issues a call to reconvene.

REQUEST FOR PROPOSALS EXTENSION

Ms. Thompson noted the committee is tasked with selecting a consultant to assist the committee in reviewing the impact of term limits. She noted a request for proposals was published on the legislative branch website on July 23; however, no proposals have been received to date. The request for proposals solicitation is scheduled to expire on August 20.

It was moved by Senator Hogue, seconded by Senator Hogan, and carried on a voice vote that the deadline for receiving consultant proposals for the committee's study of the impact of term limits be extended by 30 days, to September 12.

No further business appearing, Senator Klein adjourned the meeting at 12:00 noon.

Emily Thompson
Legal Division Director

ATTACH:1