



LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Tuesday, September 23, 2025
Harvest Room, State Capitol
Bismarck, North Dakota

Senator Jerry Klein, Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators Jerry Klein, Josh Bosch, Sean Cleary, Kyle Davison, Kathy Hogan, David Hogue, Kristin Roers; Representatives Glenn Bosch, Gretchen Dobervich, Jared C. Hagert, Zachary Ista, Mike Lefor, Robin Weisz

Member absent: Representative Anna S. Novak

Others present: John Bjornson and Lori Ziegler, Legislative Council, Bismarck
See [Appendix A](#) for additional persons present.

It was moved by Representative Hagert, seconded by Senator Bosch, and carried on a voice vote that the minutes of the August 13, 2025, meeting be approved as distributed.

DRAFT LEGISLATION AND LEGISLATIVE ARRANGEMENTS

Ms. Emily Thompson, Legal Division Director, Legislative Council, presented a bill draft [\[27.0013.01000\]](#) relating to the return of vetoed legislation to the house of origin and the calling of a reconvened legislative session. She noted:

- The bill draft sets a date certain for the Legislative Assembly to reconvene if the Legislative Management issues a call to reconvene for purposes of reconsidering legislation vetoed by the Governor after the conclusion of the regular legislative session.
- If a call is issued, the date certain for reconvening is the third Wednesday in June following adjournment.
- This date was selected because it is beyond the maximum window of time the Governor has to veto legislation following the conclusion of a regular legislative session and near the time the Budget Session generally meets following a regular legislative session.
- The bill draft also requires the Secretary of State to return any legislation vetoed by the Governor after adjournment sine die if requested for reconsideration by the Secretary of the Senate or Chief Clerk of the House during a special or reconvened legislative session.
- This provision was included to address a 1991 Attorney General opinion that noted the Legislative Assembly could not act on a bill that was vetoed after the Legislative Assembly adjourned sine die because the bill was no longer in the possession of the Legislative Assembly.

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

- A reconvened session held on the third Wednesday in June would give the Legislative Assembly adequate time to act on any provisions containing an appropriation because appropriations generally do not become effective until July 1.
- The bill draft seeks to provide certainty surrounding what may be differing interpretations of the law.

- The bill draft would not prohibit the Legislative Assembly from introducing new legislation in addition to reconsidering the vetoed legislation during the reconvened legislative session nor would it prohibit the Legislative Assembly from holding a second reconvened session at a later date and reconsidering any vetoed legislation not addressed during the first reconvened session.

It was moved by Senator Roers, seconded by Representative Hagert, and carried on a roll call vote that the bill draft [27.0013.01000] relating to the return of vetoed legislation to the house of origin and the calling of a reconvened legislative session be approved and recommended to the Legislative Management. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Dobervich, Hagert, Ista, and Lefor voted "aye." No negative votes were cast.

Ms. Thompson presented a memorandum entitled [Legislative Interns - Historical List](#), regarding the number of individuals who have participated in the legislative intern program since its inception and those who subsequently were employed by the Legislative Council, were members of the Legislative Assembly, or held other notable positions. She noted 359 legislative interns have served since the program began in 1969, 9 of whom subsequently went on to serve as legislators, and 10 of whom later served as Legislative Council staff.

Ms. Thompson noted, at the previous meeting, the committee requested feedback from the law school regarding whether the \$3,500 per month stipend provided to legislative interns during the 2025 legislative session remains adequate. She noted:

- A representative from the law school indicated the average pay for summer internships for law students, based on an informal poll, is \$25 per hour.
- The current stipend of \$3,500 per month amounts to \$21.88 per hour.
- Increasing the stipend to \$25 per hour would result in a monthly stipend of \$4,000.

It was moved by Senator Hogue, seconded by Senator Davison, and carried on a roll call vote that the stipend for the legislative intern program be increased to \$4,000 per month for the 2027 legislative session. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Dobervich, Hagert, Ista, and Lefor voted "aye." No negative votes were cast.

Ms. Thompson presented a memorandum entitled [2027 Legislative Deadlines](#). She noted:

- The document provides the proposed legislative deadlines for the 2027 legislative session based on the deadlines outlined in legislative rules.
- The rule from which each deadline is derived is listed in a parenthetical following the deadline description.
- Two items the committee may wish to review which have been raised in the past include whether the date by which agencies must submit prefiled bill drafts and the date by which each house must reach crossover should be moved to an earlier date.
- Legislative rules require both houses to reach crossover by the 37th legislative day, though historically each house has reached crossover closer to the 35th legislative day.

Committee members:

- Expressed support for moving the agency prefile deadline to an earlier date to allow Legislative Council staff additional time to process prefiled bills before the beginning of the legislative session.
- Noted concerns that moving the agency prefile deadline to an earlier date may result in more agencies seeking legislator sponsors due to not being able to meet the prefiling deadline.
- Expressed interest in inviting agencies that historically have prefiled a large volume of bills to provide comments on the potential impact of moving the prefiling deadline.

- Questioned the impact of an earlier prefiling deadline in election years.
- Noted, in regard to the crossover deadline, the House typically has a higher volume of bills to consider than the Senate during the first half of the legislative session.

In response to questions from committee members, Ms. Thompson noted she could provide additional historical information regarding the rationale for placing the resolution filing deadlines later than the bill filing deadlines and information regarding the number of bills considered each session and the legislative day by which crossover was reached in each house.

LEGISLATOR SECURITY

Ms. Sandy McMerty, Deputy Secretary of State, presented information (Appendices [B](#) and [C](#)) regarding the publication of elected official address information. She noted:

- The Secretary of State receives numerous filings regarding candidates, elections, and campaign finance which contain addresses and other identifying information.
- The events involving political violence in 2025 have sparked conversations regarding how that information should be handled to provide greater protections to individuals who hold public office.
- Not all information published on the Secretary of State's website is required to be published by statute; however, if the documents from which the published information is derived were requested through an open records request, the Secretary of State would be required to provide the documents.
- Statutory changes could be made to North Dakota Century Code Chapter 44-04, relating to open records, and Title 16.1, relating to elections, to protect residential address information for candidates and officeholders.
- Possible solutions might include allowing residential address information to be redacted before information is provided through an open records request or published online or allowing candidates to provide a mailing address in lieu of a residential address.
- The Secretary of State would be willing to draft statutory changes with the assistance of the Attorney General's office, but would be looking for direction as to the scope of officials to which the committee seeks to extend protections.
- The Secretary of State is involved in conversations with various groups and election officials across the nation to review best practices and look for solutions.

COMPUTERS, BRIEF BAGS, LETTERHEAD, AND PRINTING

Ms. Thompson presented a memorandum entitled [Policy on Use of Computers by Legislators](#). She noted:

- The policy governs the use of privately owned personal and tablet computers by legislators while in the chambers or committee rooms and the use of state-owned personal and tablet computers assigned to legislators for accessing legislative information systems.
- The Legislative Council staff recommends two changes to the policy for the committee's consideration.
- The first change is removing the language on page 1 under the "Use of Privately Owned Computers" heading. This language was added quite some time ago in response to a single legislator request and is not necessary to retain.
- The second change is removing the language on page 3 in the second paragraph under the "Maintenance and Support" subheading which reads, "Upon payment of a fee established by the Legislative Procedure and Arrangements Committee." This fee has never been charged.
- The policy also allows for a legislator to purchase the legislator's laptop and tablet when those items are due to be replaced if the legislator has paid the \$10 per month computer use fee for the previous 12 months.

In response to a question from Chairman Klein, Ms. Lori Ziegler, Legislative Administrative Officer, Legislative Council, noted fewer than 15 legislators have declined to pay the \$10 per month computer use fee.

It was moved by Senator Hogan, seconded by Representative Dovernich, and carried on a roll call vote that the *Policy on Use of Computers by Legislators*, as revised to remove the language recommended for removal by the Legislative Council staff, be approved. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Dovernich, Ista, and Lefor voted "aye." No negative votes were cast.

Ms. Thompson noted the committee determines whether new computer bags should be purchased for all members or just new members. She noted the previous interim's committee determined new computer bags would be provided only to new members and members requiring replacements due to lost or damaged bags.

It was moved by Senator Roers, seconded by Representative Bosch, and carried on a roll call vote that new computer bags be provided only to new members of the Legislative Assembly and to replace lost or damaged bags. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Dovernich, Ista, and Lefor voted "aye." No negative votes were cast.

Ms. Thompson reviewed the practice of legislators receiving letterhead in an electronic format, rather than a paper format, and noted the practice has been used for several sessions and has worked well.

It was moved by Senator Hogan, seconded by Representative Bosch, and carried on a roll call vote that the practice of providing each legislator an electronic template for printing letterhead through word processing and email software be made permanent and the use of paper letterhead be removed from consideration by future interim committees. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Dovernich, Ista, and Lefor voted "aye." No negative votes were cast.

Ms. Thompson presented a memorandum entitled [*Legislative Document Printing Services*](#). She noted:

- The document reviews the historic changes to printing services, which mostly have shifted to printing documents on demand except for a small portion of journal printing which is outsourced to a printing services provider.
- The cost per journal set has increased dramatically, in part due to the longer length of the journals as a result of printing amendments in a marked up form rather than in an amendment instructions form and in part due to increased costs of paper and binding. The cost of paper more than doubled from .039 cents per page in 2023, to .094 cents per page in 2025. The cost per set of journals increased from \$760 in 2023, to an estimated \$2,652 in 2025.
- House and Senate Rule 204 require 24 sets of journals to be bound and distributed to various parties. Eight of those sets must be delivered to the State Library. However, the rules contain a provision allowing the number of sets distributed to the State Library to be reduced to three if a statutory change is made allowing the State Library to receive documents in an electronic format rather than a paper format.
- Section 54-24-09 requires each executive, legislative, and judicial agency to provide eight paper copies of all publications issued by the agency to the State Library at the agency's expense.
- The committee may wish to review the printing requirements in statute and legislative rules in light of rising printing costs.

Committee members expressed interest in:

- Reviewing a bill draft to amend Section 54-24-09 to decrease the number of paper copies of documents that must be forwarded to the State Library from eight copies to two copies.

- Reviewing an amendment to House and Senate Rule 204 to eliminate the copies of the journal sent to the Secretary of the Senate and the judicial districts and to reduce the number of copies sent to the State Library to two copies.
- Receiving comments from a representative of the State Library regarding the need for eight paper copies of documents.

It was moved by Senator Hogan, seconded by Senator Davison, and carried on a roll call vote that Central Duplicating Services be approved as the printing services provider for the biennium. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Bosch, Dobervich, Ista, and Lefor voted "aye." No negative votes were cast.

POLICY AGAINST WORKPLACE HARASSMENT

Ms. Thompson reviewed the [North Dakota Legislative Assembly Policy Against Workplace Harassment](#) and corresponding [complaint form](#), [intake checklist](#), and [investigation checklist](#). She noted:

- The committee may wish to consider adding language to clarify the treatment of a complaint that has been withdrawn and the corresponding records.
- The content of a communication between a member of the Legislative Assembly and any other person already is protected under statute.
- Concerns have been raised relating to the short turnaround times to complete certain tasks under the policy.
- The contact person must complete a checklist within 24 hours of receiving a complaint and all five panel members must be appointed and hold their first meeting within 72 hours of receiving a complaint.
- Leadership is not prohibited from engaging in discussions with the respective parties prior to a formal complaint being filed.

Committee members noted:

- Some individuals are hesitant to file a complaint because the documents will become a public record open to disclosure.
- Leadership faces questions regarding whether to log or report incidents when an individual does not wish to file a formal complaint.
- Questions arise regarding any disclosure requirements that may be associated with an informal log of incidences.
- Some individuals are intimidated by the investigation process and would like the option to participate in alternative dispute resolution before filing a formal complaint.
- Turnaround times under the policy could be extended to either 48 or 72 hours to complete the intake checklist and up to a week, or longer if mutually agreed upon by the complainant and the intake person, to appoint a panel and hold the first meeting of the panel.
- It may be beneficial to further outline in the policy options for leaders to engage in a pre-complaint dispute resolution process.

TERM LIMITS STUDY AND CONSULTANT SELECTION

Ms. Thompson presented a memorandum entitled [Request for Proposals and Proposal Responses - Impact of Term Limits Study](#), summarizing the submissions received in response to the request for proposals for consulting services to review the impacts of term limits, which included a proposal from the Challey Institute for Global Innovation and Growth and the Greater North Dakota Chamber Foundation and a proposal from Garty Consulting, LLC.

Challey Institute for Global Innovation and Growth

Mr. John Bitzan, Menard Family Director, and Mr. Brett Bantle, Research Specialist, Challey Institute for Global Innovation and Growth, North Dakota State University, presented information ([Appendix D](#)) regarding a proposal ([Appendix E](#)) submitted in response to the committee's request for consulting services to review the impact of term limits. They noted:

- The proposal is a joint proposal with the Greater North Dakota Chamber Foundation.
- The study approach would involve conducting a literature review of the effects of term limits, surveying state legislators and the Legislative Council staff, polling state citizens, conducting town hall meetings, and preparing and presenting a final report.

In response to questions from committee members, Mr. Bitzan and Mr. Bantle noted:

- Although citizens have voted to enact term limits, it may be beneficial to educate members of the public on the impacts of term limits and solicit feedback from the public on potential approaches to mitigate the negative effects of term limits, such as providing additional training for legislators or possibly implementing annual legislative sessions.
- The role of the Greater North Dakota Chamber Foundation in the study is to assist with public engagement. The role of the university in conducting nonpartisan research and analysis related to the study eliminates concerns regarding potential conflicts of interests due to the North Dakota Chamber's lobbying presence in the state.

Garty Consulting, LLC

Ms. Jolene Garty and Ms. Erin Oban, Garty Consulting, LLC, presented information ([Appendix F](#)) regarding a proposal ([Appendix G](#)) submitted in response to the committee's request for consulting services to review the impact of term limits. They noted:

- The consultant team includes Ms. Oban, former State Senator from District 35, and Mr. Dean Mitchell, Principal, DMF Research. These individuals contribute legislative experience and backgrounds in political science, project management, stakeholder engagement, and public opinion research to the study.
- The study approach would involve developing and distributing a public opinion survey, compiling and analyzing the survey results, presenting an interim update, engaging with focus groups and stakeholders, and preparing and presenting a final report.
- Upfront engagement from the public will help shape the direction taken in the focus groups.

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

- Mr. Mitchell has completed more than 80 surveys involving public polling for clients in North Dakota.
- The cost of the proposal includes robust public opinion polling.

Committee Discussion

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

- The study was not derived from a mandatory Legislative Management study directive, but rather was provided as a standalone line item appropriation in the Legislative Assembly's budget bill. If the committee chooses not to proceed with selecting a consultant for the study, the appropriation would not be expended.
- The committee may provide feedback and further direction to the selected consultant and request followup information throughout the duration of the study.

Committee members:

- Expressed hesitation with accepting either proposal.

- Expressed concerns that both proposals focused too heavily on community engagement and public opinion and not enough on providing practical solutions relating to process changes or educational opportunities that may be needed for members to serve effectively under shortened tenures.
- Noted the benefit of having a former legislator involved in conducting the study due to a legislator's unique knowledge of the legislative process.
- Noted during the past session, without yet feeling the impact of term limits, turnover amounted to 18 members in the House and 8 members in the Senate. The initial impacts of term limits will mandate a minimum of 25 percent turnover. Over a period of 2 to 4 years, the Legislative Assembly could experience up to 50 percent turnover. The Legislative Assembly is not structured to be able to handle that rate of turnover. The Legislative Assembly needs an independent study of both the positive and negative impacts of term limits to allow it to make any preparations necessary to ensure the legislative branch remains a functioning, coequal branch of government.

It was moved by Representative Bosch, seconded by Representative Weisz, and failed on a roll call vote that the consultants submit revised proposals to more closely align with the needs of the committee. Senators Klein, Boschee, Cleary, Davison, Hogan, Hogue, and Roers and Representatives Dobervich, Hagert, Ista, and Lefor voted "nay." Representatives Bosch and Weisz voted "aye."

In was moved by Senator Boschee, seconded by Senator Roers, and carried on a roll call vote that the committee recommend the Chairman of the Legislative Management enter a contract with Garty Consulting, LLC, to assist with the study of the impact of term limits. Senators Boschee, Davison, Hogan, Hogue, and Roers and Representatives Dobervich, Hagert, Lefor, and Weisz voted "aye." Senators Klein and Cleary and Representatives Bosch and Ista voted "nay."

No further business appearing, Chairman Klein adjourned the meeting at 12:11 p.m.

Emily Thompson
Legal Division Director

ATTACH:7