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Valista Rickford
Operator's Signature

10/16/03
Date

2003 JOINT CONSTITUTIONAL REVISION

HCR 3058

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Yolanda Richardson
Operator's Signature

10/16/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3058

Senate Joint Constitutional Revision Committee

Conference Committee

Hearing Date 02-27-03

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|----------|
| 1 | | X | 340-1900 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Thomas A. J...</i> | | | |

Minutes:

SENATOR TOLLEFSON opened the hearing on HCR 3058.

REPRESENTATIVE KRETSCHMAR HCR 3058 is the backbone of the executive article of the 1972 Constitution. That article attempted to do, and was not approved by the vote of the people, restructure the executive branch of the government into a maximum of 18 departments. Every agency, commission & committee would be placed in one of those departments. Since the constitutional convention, there have been some attempts to consolidate departments. If this resolution were approved by this committee and the legislature, placed on the ballot and passed, state government would not have changed much. This would be an ongoing project for many years. It took from 1976 to 2001 to get a unified judicial system in place. If this were approved by the people, I do not think it would be a massive change in government overnight. The other section of the bill establishes the state planning council in North Dakotas. I think it is time that we put this to a vote of the people.

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John A. Richardson
Operator's Signature

10/16/03
Date

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Senate Joint Constitutional Revision Committee

Bill/Resolution Number HCR 3058

Hearing Date 02-27-03

SENATOR SEYMOUR As you look at your number of 18, why didn't you make it 14.

REPRESENTATIVE KRETSCHMAR I think because in our state we elect a number of state officials, and each one of those agencies would have to be one of the departments. That is an arbitrary number.

REPRESENTATIVE WINRICH In line 21 -m 25 you describe a procedure whereby the Governor may make changes in the statutory provisions of the legislature. It says the change must be submitted to both houses of the legislative assembly on the same day. What happens when the legislature is not in session.

REPRESENTATIVE KRETSCHMAR The executive order would not be in effect until the legislature has signed it.

REPRESENTATIVE WINRICH I wonder if the requirement that the change must be set forth in the executive order. Does that prohibit the Governor from issuing an executive order.

REPRESENTATIVE KRETSCHMAR I believe it would.

SENATOR TOLLEFSON Some of these resolutions are difficult to understand, difficult to vote on, how would you get that word out.

REPRESENTATIVE KRETSCHMAR It would have to be an educational process through groups, the press. I agree with you, it is easy to get a good explanation out.

REPRESENTATIVE ECKRE Getting back to the question of the legislature having 30 days to disapprove the order, is there a way to change this.

REPRESENTATIVE KRETSCHMAR I am sure that there is.

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Senate Joint Constitutional Revision Committee

Bill/Resolution Number HCR 3058

Hearing Date 02-27-03

CHUCK FLEMING I am a private citizen of North /Dakota. I have had a long time interest in government reorganization. When I was involved in state government, I offered a resolution to reorganize the executive branch of state government. I don't believe there is a person in th's room that has a private business that organizes their business in such a manner. I do think the resolution that was introduced and passed in 1989 might be better language. A one time comprehensive plan seems to me to make more sense. I think it would be the greatest legacy a governor could have in trying to modernize state government. The last time we modernized state government was in the 1960's. This is important, because you have scores and scores of commissions and boards that are violating the law every day. They don't have a full time executive director, the open meetings law, the problem of fiscal matters, it is a disaster waiting to happen .I think the political climate is right to do something, in what ever form you might take.

Senator Tollefson closed the hearing on HCR 3058.

REPRESENTATIVE KRETSCHMAR I will have an amendment drafted, and we will figure something out.

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Lu Costa Rickford
Operator's Signature

10/16/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 3058

Joint Constitutional Revision Committee

Conference Committee

Hearing Date March 5, 2003

| Tape Number | Side A | Side B | Meter # |
|-------------|--------|--------|-----------|
| 1 | X | | 1610-2260 |
| | | | |
| | | | |

Committee Clerk Signature *Elizabeth R. Linn*

Minutes: **Chair Tollefson:** Opened discussion on HCR 3058.

Rep. Kretschmar: Offered amendment to resolution. Page 2, line 1, after "order," insert, "is then effective and" Rep. Kretschmar moved the amendment. 2nd by Rep. Maragos.

Rep. Eckre: This amendment clears up the questions he had

Voice vote: Amendment adopted.

Rep. Kretschmar: We need to start the process of reforming the executive branch or at least streamline it. This is the beginning of a goal for the legislature and executive branch to go toward. It took 25 years to get a unified judicial system.

Rep. Hawken: What about a timeline? We do not put that into the Constitution, so is that assumed? Rep. Kretschmar said it would be whatever they want to do.

Rep. Winrich: Opposes this because we have made changes in the executive branch. We created the Dept. of Commerce. History shows reluctance of voters to change the Constitution.

The time has not come yet.

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Joint Constitutional Revision Committee
Bill/Resolution Number 3058
Hearing Date March 5, 2003

Sen. Mutch: What happens if the Governor makes an executive order in the interim?

Kretschmar said that with the amendment, nothing could happen until the Legislature comes back.

Rep. Kretschmar moved a DP as amended. 2nd by Rep. Hawken

Vote: 8 Yes 2 No 0 Absent and not voting

Carriers: Rep. Kretschmar Sen. Tollefson

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LoCoeta Rickford
Operator's Signature

10/16/03
Date

33100.0101
Title.0200

Adopted by the Joint Constitutional Revision
Committee

March 5, 2003

House Amendments to HCR3058 - Joint Constitutional Revision Committee 03/06/2003

Page 2, line 1, after "order" insert "is effective and"

Renumber accordingly

1 of 1

33100.0101

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Yolanda Richardson
Operator's Signature

10/16/03
Date

IP

Date: 3/5/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3058

House Joint Constitutional Revision Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP as amended

Motion Made By Kretschmar Seconded By Hawken

| Representatives | Yes | No | Senators | Yes | No |
|------------------------|-----|----|--------------------------|-----|----|
| Rep. Kretschmar, Chair | ✓ | | Sen. Tollefson, Co-Chair | ✓ | |
| Rep. Maragos | ✓ | | Sen. Mutch | ✓ | |
| Rep. Hawken | ✓ | | Sen. Krebsbach | | ✓ |
| Rep. Eckre | ✓ | | Sen. Nichols | ✓ | |
| Rep. Winrich | | ✓ | Sen. Seymour | ✓ | |
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Total (Yes) 8 No 2

Absent _____

Floor Assignment Kretschmar Tollefson

If the vote is on an amendment, briefly indicate intent:

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Loiseta Rickford 10/6/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
March 6, 2003 12:45 p.m.

Module No: HR-40-4095
Carrier: Kretschmar
Insert LC: 33100.0101 Title: .0200

REPORT OF STANDING COMMITTEE
HCR 3058: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (8 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3058 was placed
on the Sixth order on the calendar.

Page 2, line 1, after "order" insert "is effective and"

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-40-4095

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Yolanda Rickford
Operator's Signature

10/16/03
Date