

LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

The Legislative Management has delegated to the Legislative Procedure and Arrangements Committee the Management's authority under North Dakota Century Code Section 54-35-11 to make arrangements for legislative sessions. Legislative rules also are reviewed and updated under this authority.

Committee members were Representatives Al Carlson (Chairman), David Drovdal, Lee Kaldor, Jerry Kelsh, and Don Vigesaa and Senators Randel Christmann, Ralph L. Kilzer, Mac Schneider, Ryan M. Taylor, and Rich Wardner.

The committee submitted this report to the Legislative Management on November 3, 2011. The Legislative Management accepted the report for submission to the Legislative Assembly.

SPECIAL SESSION ARRANGEMENTS

The committee reviewed three areas of consideration for the special session--legislative rules, session employees, and miscellaneous matters.

Legislative Rules

The committee reviewed the legislative rules amendments adopted during the 2001 special session, which was called primarily for legislative redistricting purposes. The amendments primarily addressed the introduction of measures, length of time to consider a measure after it is reported from committee, length of time to reconsider a measure, and special committees during the special session. The committee's recommendations are substantively similar to those rules amendments adopted during the 2001 special session.

The committee recommends amendment of Senate Rules 401(1), 402(1) and (2), and 403; House Rules 401(1), 402(1) and (3), and 403; and Joint Rule 208 to provide that bills and resolutions, other than bills and resolutions introduced by the Legislative Management, must be introduced through the Delayed Bills Committee of the house of introduction. The requirement for approval by the Delayed Bills Committee is intended to limit introduction of measures to those measures of significant importance for consideration during the special session. The special session is primarily to address legislative redistricting. By requiring measures to be introduced through the Delayed Bills Committees, bills and resolutions would be screened to assure promotion of this objective.

The committee recommends amendment of Senate and House Rules 504 to eliminate specific meeting days for committees. Although meetings may be called at times and on days as determined necessary, the specific listing of days that three-day and two-day committees may meet could cause misconceptions if such committees met on other than regularly scheduled days.

The committee recommends amendment of Senate and House Rules 318(4), 337, and 601 and Joint Rule 207 to authorize a measure to be considered on

the same day it is reported from committee or placed on the consent calendar. Thus, the normal timeframe for consideration of a measure is shortened from the day after a measure is reported from committee or placed on the consent calendar.

The committee recommends amendment of Senate Rule 333 to allow an amendment received on the second reading of a bill providing for redistricting of the Legislative Assembly to be proposed as a "concept" and the exact legal description would be developed after adoption of the "amendment." This is intended to limit the time taken for drafting and proofing exact legal descriptions of legislative districts to those ideas that receive support of a majority of the members.

The committee recommends amendment of Senate and House Rules 346 to authorize a measure to be transmitted to the other house immediately after approval unless a member gives notice of intention to reconsider. If notice is given, the measure cannot be transmitted until the end of that day. Without this amendment, the normal procedure would be to retain the measure until the end of the next legislative day.

The committee recommends amendment of Joint Rule 202 to allow either house to reconsider receding before a conference is called. Without the amendment, reconsideration could not be made until the next legislative day.

The committee recommends amendment of Joint Rule 501(4) to require the return of a fiscal note within one day of the request instead of five days. This recommendation recognizes the shortened timeframes for considering bills and resolutions during the special session.

The committee recommends creation of Joint Rules 303 and 304 to establish a Joint Legislative Redistricting Committee and a Joint Health Care Reform Committee. The Joint Legislative Redistricting Committee would be responsible for all bills and resolutions relating to redistricting. The Joint Health Care Reform Committee would be responsible for all bills and resolutions relating to state implementation of the Patient Protection and Affordable Care Act and related issues. With respect to other issues that may arise, the committee recommends using the regular standing committees of the Legislative Assembly and encourages use of joint hearings to reduce the potential for duplication of hearings within the abbreviated timeframe expected for the special session.

Session Employees

The committee reviewed the employee positions filled during the 2001 special session--10 Senate positions and 12 House positions. The committee determined that the Employment Committee of each house should determine the employee positions to be filled, especially due to the unknowns as to the number and subject matter of bills and resolutions to be considered during

the special session. Based on positions determined as necessary by the Employment Committees, the committee recommends that the Senate Employment Committee employ 10 Senate employees, and the House Employment Committee employ 14 House employees for the 2011 special session. The employees and their positions can be designated by reports of the respective Employment Committees during the special session. The rates of pay for employees during the special session would be the compensation levels established by 2011 House Concurrent Resolution No. 3006, except for committee clerks. The committee recommends the employees assigned to staff committees be paid at the levels for five-day committee clerks because the committees would be meeting throughout the special session, without regard as to the normal five-day, three-day, and two-day classifications.

Miscellaneous Matters

The committee recognizes the nature of a special session for redistricting purposes would be limited in scope. As such, many services or items normally available during a regular session would not be feasible or economical during the special session. During the 2011 regular session, the telephone message, secretarial, and bill and journal room services were

provided by private contractors (these services were not provided during the 2001 special session). During the 2011 special session, constituents can contact their legislators through regular channels or by e-mail directly to a legislator's notebook computer, and legislators can contact their constituents through regular channels or by telephone or e-mail.

The joint bill and journal room will not be open. Measures will be available on the legislative branch website, and copies of measures introduced will be available from the Legislative Council office. Daily journals will be available on the legislative branch website--the journals will not be printed daily but will be consolidated and printed after the session adjourns. The Legislator's Automated Work Station (LAWS) system will be available during the special session.

Committee hearing schedules will not be printed because it is anticipated committee hearings will be called on relatively short notice. Information on committee hearings may be obtained through the monitors on the ground floor and at the information kiosk.

Because of the unscheduled, irregular convening of floor sessions, the live streaming video coverage of floor sessions will not be available on the legislative branch website.