

## NORTH DAKOTA LEGISLATIVE MANAGEMENT

## Minutes of the

**LEGISLATIVE MANAGEMENT****TELECONFERENCE CALL**

Wednesday, June 10, 2015  
Harvest Room, State Capitol  
Bismarck, North Dakota

Senator Ray Holmberg, Chairman, called the meeting to order at 9:00 a.m.

**Members present:** Senators Ray Holmberg, Tyler Axness, Jerry Klein, Donald Schaible, Mac Schneider, Connie Triplett, Jessica Unruh, Rich Wardner; Representatives Wesley R. Belter, Al Carlson, Bill Devlin, Jason Dockter, Kathy Hogan, Marvin E. Nelson, Kenton Onstad, Dan Ruby, Jim Schmidt

**Members absent:** None

**Others present:** Brady Larson, John Bjornson, Allen H. Knudson, John Walstad, Jason Steckler, Jennifer Clark, Legislative Council, Bismarck

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

**It was moved by Senator Wardner, seconded by Senator Schaible, and carried on a voice vote that the minutes of the May 27, 2015, meeting be approved as distributed.**

Chairman Holmberg welcomed committee members and said the business today is to receive the report of the Special Committee on the Resolution of Senate Bill No. 2022 and consider the reconvening of the 64<sup>th</sup> Legislative Assembly.

The Chairman called on Mr. Brady Larson, Assistant Legislative Budget Analyst and Auditor, for a review of the recommendations contained in [Special Committee on the Resolution of Senate Bill No. 2022 - Final Report](#). Mr. Larson said the recommendations include that the Legislative Management reconvene the 64<sup>th</sup> Legislative Assembly to complete the work on Senate Bill No. 2022.

The committee discussed the report. Senator Axness questioned why the process used by the special committee was not used in April when the Legislative Assembly was in session. Chairman Holmberg said the Legislative Management has to deal with the facts before them, and although the end of the session may have not been ideal, it cannot be redone. He said the special committee was not a conference committee, as it operated under majority rules on votes and not 2 of 3 members required from each house. He said the recommendations of the committee were unanimous. He said once the Legislative Assembly comes back in session, the Legislative Management will have no role in the process.

Representative Ruby questioned the changes in subsection 2 of Section 7. Senator Wardner indicated it was a negotiated process and subsection 2 was removed as it was determined it is not necessary.

Senator Triplett said her understanding is that the recommendations are not binding on the Legislative Assembly. Chairman Holmberg said that is true.

**It was moved by Senator Wardner, seconded by Representative Carlson, and carried on a roll call vote that the report of the Special Committee on the Resolution of Senate Bill No. 2022 be accepted.** Senators Holmberg, Klein, Schaible, Triplett, Unruh, and Wardner and Representatives Belter, Carlson, Devlin, Dockter, Hogan, Nelson, Onstad, and Schmidt voted "aye." Senators Axness and Schneider and Representative Ruby voted "nay."

The Chairman said the next order of business would be the consideration of reconvening the 64<sup>th</sup> Legislative Assembly.

Senator Axness said they cannot turn back the clock regarding the end of the session in April, but the Legislative Assembly should not have adjourned without completing its work on Senate Bill No. 2022. He said adjourning

before addressing all bills should not happen again and he is concerned that it is a bad precedent.

Senator Schneider said he has the same concerns and it is embarrassing for the Legislative Assembly to not have completed the work on Senate Bill No. 2022. He said policy provisions were mixed with an appropriation bill and it is unacceptable to have this strategy become a new tactic.

Chairman Holmberg said there were lessons learned as a result of the ending of the session in April and it will impact the 65<sup>th</sup> Legislative Assembly and beyond.

Senator Triplett said she agrees with the comments of Senator Schneider, but the members need to support the reconvening of the 64<sup>th</sup> Legislative Assembly. She said relying on the related Attorney General's opinion would be a worse option.

**It was moved by Representative Carlson, seconded by Representative Ruby, and carried on a roll call vote that Legislative Management, pursuant to North Dakota Century Code Section 54-35-16, issue the call for the 64<sup>th</sup> Legislative Assembly to reconvene on Tuesday, June 16, 2015, at 8:00 a.m.** Senators Holmberg, Axness, Klein, Schaible, Schneider, Triplett, Unruh, and Wardner and Representatives Belter, Carlson, Devlin, Dockter, Hogan, Onstad, Ruby, and Schmidt voted "aye." Representative Nelson voted "nay."

No further business appearing, Chairman Holmberg adjourned the meeting at 9:30 a.m.

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Jim W. Smith  
Director

ATTACH:1