

HB 1257 — *Expanding the Organizational Session*

Madame Chair and Members of the Senate State and Local Government Committee:

I'm Jared Hendrix, and I represent District 10 in the State House. As a freshman legislator, I listen intently every day to those who have knowledge and experience in this process. We learn a lot through our mentors, the organization session, and through information presented to us by our party caucuses. That said, there is a need for more education on the lawmaking process itself prior to the beginning of session in January. HB 1257 seeks to fill this gap.

Better Explain Rules & Procedures

During organizational session, freshmen vote on rules and a process which they have never actually utilized in practice, nor have many witnessed in practice. HB 1257 requires legislative council to provide a presentation on floor and committee rules and procedures.

Better Explain the Budget Process

Given the fact that very few freshmen are assigned to Appropriations Committees, this bill also provides for a presentation on the appropriations / budgeting process. This will better prepare legislators with an understanding of these bills before they come to the floor. Otherwise, the current process is such that some legislators may never witness the appropriations process even once before the end of session.

Provide a Crash Course on Law

A very small number of legislators are attorneys, yet we craft law. This bill will provide specific training on basic principles of constitutional law and basic legal terminology and principles. This can be done through legislative council staff attorneys, or in consultation with outside experts.

Provide Reports by Statewide Constitutional Officeholders

The Governor delivers his budget address to a joint session in December. This bill gives each of our statewide officeholders the same opportunity to explain issues affecting their offices and lay out priorities. They each run a separate office and are elected directly by the people. By doing so in December, we will give legislators more time to consider legislation relating to these offices prior to the start of session, instead of waiting for the mad rush of bill deadlines. In turn, these elected officials can find willing partners for bills much more easily.

In Conclusion

Freshmen legislators are expected to hit the ground running at the start of session. Unless you are an experienced citizen lobbyist or grassroots activist, freshmen legislators can be at a significant disadvantage. It is impossible to know everything, but we must make sure lawmakers are as ready as possible to be effective on day one, not day seven or fourteen. I commend Legislative Council and our mentors for their work to prepare us all for success. With a Do Pass on HB 1257, we will strengthen this foundation for our incoming freshmen legislative class.

The second page of my testimony is a little history on the organization session, which began with legislation passed in 1965, courtesy of Legislative Council.

Thank you all for your consideration.

Jared Hendrix

Background / History from Legislative Council:

In 1965, the Legislative Assembly passed legislation to create an organizational session, which included the following statement:

As a result of the growth of modern government and the increasingly complex problems with which the legislative assembly must deal in almost one thousand measures placed before it in every session, it has become apparent that insufficient time exists in a hurried and limited sixty-day session to give full and adequate consideration to each bill and problem with which the legislative assembly is confronted. In order that the beginning days of the legislative assembly can be more profitably and fully utilized there is hereby created a pre-session legislative conference.

The legislation also specified this pre-session would take place in each even-numbered year on the first Tuesday after the first Monday in the month of December. ([S.L. 1965, ch. 342](#)).

In 1969, the Legislative Assembly replaced the phrase "pre-session legislative conference" with the term "organizational session" ([S.L. 1969, ch. 427](#)). In 1984, voters approved Measure No. 2 on the primary election ballot, which required the Legislative Assembly to meet at the seat of government in the month of December following the election of the members thereof for organizational and orientation purposes as provided by law ([S.L. 1985, ch. 706](#)). In 1999, the Legislative Assembly amended the statutory language to provide the organizational session could alternatively start on a date selected by the Legislative [Management] not earlier than December 1 nor later than December 15 ([S.L. 1999, ch. 444](#)). In 2005, the Legislative Assembly further amended this language to provide a starting date in each even-numbered year on the first Monday in the month of December or the alternative described above ([S.L. 2005, ch. 473](#)).

The heading "Organizational and Orientation Session" first appeared in the journals of the House of Representatives and the Senate in 1968, although activities of what are now termed "organizational sessions", such as certification of members by the Secretary of State, appeared in earlier journals under the business of a session's first legislative day.¹ While it is not entirely clear why this structure was not implemented for the 1967 legislative session, one reason may have been that the 1965 legislation referenced above included the following contingency which, as specified in the excerpt below, was not on the ballot until November 1966:

Provided, however, if the amendments to the Constitution of the state of North Dakota as contained in Senate Concurrent Resolution "A"* authorizing a meeting of the legislative assembly for organizational and orientation purposes shall be approved by the electorate at the general election held in November 1966, then and in that event the legislative assembly shall convene at nine o'clock a.m. on the eighth day of December 1966 for not more than three calendar days for organizational and orientation purposes as provided in the Constitution.

From 1968 forward, the organizational session lasted for three legislative days, with an exception in 1986, when the organizational session was combined with a special session and lasted for four legislative days.

Please let us know if you would like any additional information relating to your inquiry.

¹It is worth noting the practical definition of what constitutes a legislative day changed after voters approved [Measure No. 2](#) on the 1976 primary election ballot. This measure limited each regular session of the Legislative Assembly to 80 natural days during the biennium and defined a natural day as a period of 24 consecutive hours. Prior to this amendment, a single legislative day sometimes comprised multiple calendar days.