

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATIVE COUNCIL

Tuesday, May 15, 2007  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 9:00 a.m.

**Members present:** Representatives Al Carlson, Rick Berg, Merle Boucher, Jeff Delzer, Lee Kaldor, Shirley Meyer, Phillip Mueller, Chet Pollert, Bob Skarphol; Senators Dick Dever, Tim Flakoll, Joel C. Heitkamp, Ray Holmberg, David O'Connell, Larry J. Robinson, Bob Stenehjem, Rich Wardner

**Others present:** Jay E. Buringrud, Jim W. Smith, Maryann F. Trauger; Legislative Council, Bismarck

See attached appendix for additional persons present.

**It was moved by Senator Robinson, seconded by Senator O'Connell, and carried on a voice vote that the minutes of the April 25, 2007, meeting be approved as distributed.**

Chairman Carlson welcomed the attendees and outlined the procedures to be followed. He said there were 90 proposed studies, 16 of which are required and 74 discretionary studies. He said during the last interim 44 studies were approved and his goal is to have 50 or fewer studies this time. He said that means about 40 of the discretionary studies should not be approved. He said the procedure he planned to follow was to take up the various studies for consideration and to place them on lists to be approved or not approved and then the Council will take a recorded roll call vote on those discretionary studies that are to be approved. He said Mr. Jay E. Buringrud, Assistant Director, will be categorizing the studies for consideration of an interim committee structure. He said last interim there were 24 interim committees.

Chairman Carlson called on the director of the Legislative Council to review the documents that had been distributed and to make some announcements. The director said a memorandum had been distributed to members of the Legislative Council regarding legislation enacted in 2007 affecting the Legislative Council. He said there is one new interim committee, the Correctional Facility Review Committee, and one statutory committee, the No Child Left Behind Committee, was eliminated by legislation enacted in 2007. He said there are 12 committees that are either created by statute or referred to by statute, the latter category of which includes the Budget Section and the Legislative Management Committee. He said the staff had also mailed two memorandums to members of the Legislative Council, the first one listing the [studies to be considered](#) arranged by subject matter and the

second memorandum provided detailed information on legislation and prior studies related to each proposed study.

The director said the Legislative Council has statutory authority to set a different convening date for the 2009 legislative session. Under the state constitution, that legislative session will begin at 12:00 noon on the first Tuesday after the third day in January, which is January 6, 2009. He said North Dakota Century Code Section 54-03-02 provides that the Legislative Council can set a date between January 2 but no later than January 11 for the convening of the 2009 legislative session.

The director reported all legislators are eligible to participate in the employee assistance program, and last biennium a motion was passed by the Legislative Council giving the chairman authority to select a vendor.

The director reported that state law requires recorded roll call votes on all nonprocedural motions. He said in the past the chairman has treated motions on discretionary studies as procedural motions to place studies on the approval list to be voted on in one recorded roll call vote. However, he said, members of the Legislative Council can request a recorded roll call vote on other discretionary studies.

The director said the agenda provides that there will be a motion authorizing the chairman to send questionnaires to members of the Legislative Assembly regarding committee preferences. He said time is needed for legislators to return the questionnaires before the next meeting, but he said the Legislative Council staff will make telephone calls to legislators who do not respond to the questionnaires.

The director said a number of years ago a policy was established that the staff would use e-mail to notify members of committees of upcoming meetings. He said those e-mails have been followed by a mailing of the agenda with a reminder notice about one week before each meeting. Chairman Carlson said he prefers receiving notification by hard copy mail of upcoming meetings, and Senator O'Connell said he agreed. The director said in the future both e-mail and hard copy notices of meetings would be sent to members of committees.

Chairman Carlson announced that the Council would review [proposed studies](#) based upon subject matter as listed in the two memorandums distributed by the Legislative Council staff. He said the

Legislative Council could approve, disapprove, or ask that a discretionary study be placed on hold for reconsideration later in the day. He said if there was no interest in approving a study, he would place a discretionary study in the not approved category.

Chairman Carlson announced that the first four studies listed, Section 1 of House Bill No. 1473 relating to the Commission on Alternatives to Incarceration, Section 1 of House Bill No. 1028 relating to the Energy Development and Transmission Committee, Section 4 of House Bill No. 1462 relating to a comprehensive energy policy, and Section 1 of House Bill No. 1456 relating to the siting and decommissioning of commercial wind farms, are all required studies and no further action is needed.

The Council reviewed Section 8 of Senate Bill No. 2180, relating to biofuels production in North Dakota. Senator Robinson said he believes the issues raised in this proposed study are relevant. Representative Delzer said he believes everything in this discretionary study is covered in one or more of the required studies, and Senator Holmberg said he agreed with that conclusion. Senator Heitkamp said he wants to be sure the subject of biofuels production is covered by at least one of the committees and Representative Mueller said that was his position. Representative Carlson said he believes the study called for in House Bill No. 1462 covers all forms of energy, and Representative Delzer said he believes this study is covered by the required study provided in House Bill No. 1028. Chairman Carlson announced because there was no motion to approve this study, this study would be placed in the not approved category.

Chairman Carlson announced that the study called for in Section 1 of House Bill No. 1156 calling for a review of workers' compensation claims brought to the Workers' Compensation Review Committee is a required study and required no further consideration by the Legislative Council.

The Council reviewed Section 4 of House Bill No. 1460 calling for a study of the Workforce Safety and Insurance governance changes made during the 2007 legislative session. Representative Berg said the changes enacted in 2007 should be given some time and later in the biennium it may be determined this subject should be studied. In response to a question from Representative Kaldor, Senator Heitkamp said during the last interim the Workers' Compensation Review Committee was very limited in scope and considered claims brought by injured workers but did not get into any governance issues. Representative Berg said he believes that committee should continue to have a limited agenda. Senator Heitkamp said he hopes House Bill No. 1460 would be kept alive. Representative Skarphol said the study called for in Section 4 of House Bill No. 1460 is limited to reviewing the governance changes made during the 2007 legislative session. Chairman Carlson said the Council would place the study called for in Section 4

of House Bill No. 1460 on hold and would take it up later in the day.

Chairman Carlson announced that the study called for in Section 1 of Senate Bill No. 2402 relating to the Tribal and State Relations Committee is a required study and requires no further action.

The Council reviewed Section 37 of House Bill No. 1092 relating to the laws regarding the welfare of Indian children when placed in the care of individuals other than parents and the effect of the Indian Child Welfare Act on state law. **It was moved by Representative Boucher and seconded by Senator Robinson that this study be given priority.** In the discussion that followed, Representative Boucher said many children live off the reservation and there is often dual jurisdiction between the state and tribal courts. Representative Pollert said it appears the study called for in Senate Bill No. 2402 is all-encompassing and could include this subject. Representative Boucher said foster care is a very delicate subject and families move to and from reservations and there is often confusion and this subject needs to be studied. In response to a question from Representative Carlson, Representative Boucher said this study could be assigned to either the Human Services or the Tribal and State Relations Committee or the Judiciary Committee. Representative Delzer said he believes if this study is approved it should go to an interim human services committee. Representative Berg said the Tribal and State Relations Committee meets with the tribal chairmen and he questioned whether that committee should handle this issue or if this subject should be handled by another interim committee. Representative Skarphol said he would suggest this study be put on hold and the Council could return to the subject this afternoon. Chairman Carlson agreed and said the Council would come back to this issue after lunch.

The Council reviewed Section 10 of House Bill No. 1015 calling for a six-member Correctional Facility Review Committee. Chairman Carlson said this is a required study and no further action is needed.

The Council reviewed Senate Concurrent Resolution No. 4029 calling for a study of the feasibility and desirability of transferring some of the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation. **It was moved by Representative Kaldor and seconded by Representative Boucher that this study be given priority.** Representative Kaldor said this is not just a study regarding mental health, but it involves the relationship between that subject and corrections. Representative Pollert questioned whether the purpose of this study is to move the jurisdiction of the State Hospital to the Department of Corrections and Rehabilitation. He also asked whether the Developmental Center in Grafton would be part of this study. Representative Kaldor said this is an issue of having mental health and corrections in the same

institution. He said the stakeholders need to know what the institution is, a mental health institution or a correctional institution. Senator Wardner said the sex offender unit is the main issue concerning jurisdiction between these two missions. Senator Robinson said he believes the Legislative Assembly should keep on top of this issue, as there are many policy issues to be considered when the population for one of these institutions exceeds capacity. Representative Boucher said many inmates have mental health issues, but not all mental health patients are correctional inmates. Representative Delzer said he does not support giving this study priority and he does not support transferring the State Hospital to the Department of Corrections and Rehabilitation. Senator Robinson said he believes the study is important so the Legislative Assembly can monitor all of these pieces to make sure they fit together. Chairman Carlson announced a roll call vote would be taken. Voting in favor of the motion were Representatives Boucher, Kaldor, Meyer, and Mueller and Senators Heitkamp, O'Connell, and Robinson. Voting against the motion were Representatives Carlson, Berg, Delzer, Pollert, and Skarphol and Senators Dever, Flakoll, Holmberg, Stenehjem, and Wardner. **The motion was defeated.**

Chairman Carlson announced that the study called for in Section 19 of House Bill No. 1018, relating to the renaissance zone program and consideration of options for smaller communities to become involved in a renaissance zone program, is a required study and no further action is needed.

The Council reviewed the study called for in House Concurrent Resolution No. 3049 relating to the feasibility and desirability of modifying the renaissance zone law to allow for scattered site development. Representative Berg said this study can be covered in the required study under Section 19 of House Bill No. 1018. Chairman Carlson announced because there was no motion to approve this study, this study would not be given priority.

Chairman Carlson announced that the study called for in Section 20 of House Bill No. 1018, relating to the state system for addressing workforce needs through a workforce system initiative, is a required study and no further action is needed.

Chairman Carlson announced that the study called for in Section 3 of Senate Bill No. 2149, relating to a study of job development authorities, is a required study and no further action is needed.

The Council reviewed the study called for in Section 27 of House Bill No. 1018 relating to the state's housing needs and how unmet housing needs may affect economic development in this state. Senator Wardner said he sees no need to conduct this study as each community has the opportunity to develop its own housing programs. Chairman Carlson announced because there was no motion to approve this study, this study would not be given priority.

The Council reviewed the study called for in House Concurrent Resolution No. 3025 relating to possible

methods of growing North Dakota's population and increasing the available workforce in the state. Senator Wardner said his part of the state is always looking for people to meet workforce needs. He said there is a real question about what can be done to draw people to come to our state. Representative Berg said he believes this study is covered in the required study called for in Section 20 of House Bill No. 1018. Representative Boucher said he believes it is incumbent that the Legislative Council look into this issue. **It was moved by Representative Boucher, seconded by Senator Wardner, and carried on a voice vote that the Legislative Council give priority to House Concurrent Resolution No. 3025.**

The Council reviewed the study called for in Section 21 of House Bill No. 1018 relating to a study of the Department of Commerce. **It was moved by Senator Flakoll, seconded by Senator Stenehjem, and carried on a voice vote that the Legislative Council give priority to the study called for in Section 21 of House Bill No. 1018.**

Chairman Carlson announced that the studies called for in Section 6 of House Bill No. 1012 relating to state highway funding and transportation infrastructure needs, Section 3 of Senate Bill No. 2178 relating to a study of the allocation of oil and gas tax revenues, and Section 2 of Senate Bill No. 2188 relating to a study of risk assessments for railroad facilities are all required studies and no further action is needed.

The Council reviewed the study called for in Section 5 of House Bill No. 1012 relating to a study of traffic fines imposed by state and local governments. Chairman Carlson announced that as there was no discussion or motion to approve this study, this study would not be given priority.

The Council reviewed the study called for in Section 2 of House Bill No. 1359 relating to federal Motor Carrier Safety Regulations and exemptions for interstate and intrastate transportation. **It was moved by Senator Wardner and seconded by Representative Delzer that the Legislative Council give priority to this study.** In the discussion that followed, Senator Heitkamp said this subject matter is largely controlled by the federal government. Representative Delzer said other states have exemptions North Dakota does not have and this subject should be studied. Representative Mueller suggested the Legislative Council work with the federal government on this issue. Senator O'Connell said the state could lose \$2.5 million regarding this issue. Chairman Carlson called for a vote on this study, and **the motion carried on a voice vote.**

The Council reviewed the study called for in Section 13 of Senate Bill No. 2032 relating to property tax reform. Chairman Carlson announced that as this is a required study no further action is needed.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4031 relating to political subdivisions that receive property tax revenue and any changes that may increase efficiencies and

reduce property taxes. **It was moved by Senator Flakoll and seconded by Senator Dever that this study be given priority.** Representative Mueller said he believes the study called for in Section 13 of Senate Bill No. 2032 is broad enough to cover this subject. Representative Carlson said the emphasis of this study is on political subdivisions, and he questioned where the 1.5 percent of full and true value of property was derived, and he questioned whether that is the right figure. Chairman Carlson called for a vote on the question, and **the motion carried on a voice vote.**

The Council reviewed the study called for in Senate Concurrent Resolution No. 4013 relating to the property tax exemption for public housing authorities. There was no discussion and no motion, so the chairman announced that this study would not be given priority.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4021 relating to income tax laws with an emphasis on adjustments necessary to minimize or negate the impact to any taxpayer of establishing a single uniform income tax return for all individuals. **It was moved by Representative Berg and seconded by Senator Flakoll to give priority to this study.** Senator Heitkamp asked what would be accomplished by this study. Representative Carlson said nearly all exemptions are now on the "short" form and perhaps there should be just one income tax form. The chairman called for a vote on the motion, and **the motion carried on a voice vote.**

The Council reviewed the study called for in House Concurrent Resolution No. 3057 relating to a study of the corporate and individual income tax laws to determine the feasibility and desirability of providing income tax benefits for employers to encourage expansion of employment opportunities in this state. There was no discussion and no motion, so the chairman announced that this study would not be given priority.

Chairman Carlson announced that the study called for in Section 3 of Senate Bill No. 2109, relating to the state's long-term care system, is a required study and no further action is required.

The Council reviewed the study called for in Section 8 of Senate Bill No. 2012 relating to the feasibility and desirability of continuing the equalization of nursing home payment rates and the feasibility and desirability of establishing a provider tax or assessment on nursing homes. Representative Delzer said he believes this study is covered in the required study found in Section 3 of Senate Bill No. 2109. Chairman Carlson said because there was no motion to approve this study, this study would not be given priority.

The Council reviewed the study called for in House Concurrent Resolution No. 3022 relating to dementia-related services. **It was moved by Senator Flakoll and seconded by Senator Dever that this study be approved.** In the discussion that followed, Senator

Dever said it is important to keep people in their homes as long as possible and this study might contribute to that end. The chairman called for a vote on the motion, and **the motion carried on a voice vote.**

The Council reviewed the study called for in Senate Concurrent Resolution No. 4005 relating to the feasibility and desirability of establishing a transition to independence program for young adults with mental illness. **It was moved by Representative Boucher and seconded by Senator O'Connell that this study be approved.** In the discussion that followed, Representative Boucher said many inmates have mental illnesses and many people are lost in the process. He said he believes this study is necessary. Chairman Carlson called for a vote on the motion, and **the motion carried on a voice vote.**

Chairman Carlson announced that the study called for in Section 1 of Senate Bill No. 2139, relating to the provisions of state law which relate to agriculture for the purpose of eliminating irrelevant or duplicative provisions and clarifying provisions that are inconsistent or unclear, is a required study and no further action is needed.

The Council reviewed the study called for in House Concurrent Resolution No. 3034 relating to the feasibility and desirability of addressing the current imbalance in the funding and governance of the Potato Council and of eliminating refunds from the potato assessment law. Senator Heitkamp said the parties involved in this dispute should work together and come up with a solution. Senator Flakoll said members of the Senate Agriculture Committee would welcome this study as this would force the issue. Chairman Carlson announced that this study would be set aside and the Council would return to this subject this afternoon.

The Council reviewed the study called for in House Concurrent Resolution No. 3061 relating to the financial and environmental impact of confined animal feeding operations. Representative Berg said he sees no need to conduct this study as the counties will work through any problems with the current law and come to the next legislative session with any changes that may be required. Representative Mueller said he thinks a study of confined animal feeding operations may be helpful. **It was moved by Representative Mueller and seconded by Representative Kaldor to approve this study.** Senator Flakoll said he was opposed to conducting this study because he believes the legislation passed in the last session needs time to work. Senator Heitkamp said the state of Minnesota is dealing with this problem now and groups that used to want to keep jurisdiction at the local level now want the Health Department to handle it. Representative Berg spoke in favor of letting the 2007 legislation work before conducting a study. In response to a question from Representative Delzer, the director said if the Legislative Council approves the supplementary rules of operation and procedure that have been followed in the past, the Legislative

Council chairman can later assign this issue to an interim committee. The chairman called for a roll call vote, and Representatives Boucher, Kaldor, Meyer, and Mueller and Senators Heitkamp, O'Connell, and Robinson voted in favor of the motion and Representatives Carlson, Berg, Delzer, Pollert, and Skarphol and Senators Dever, Flakoll, Holmberg, Stenehjem, and Wardner voted against the motion. **The motion was defeated.**

The Council reviewed the study called for in Section 8 of Senate Bill No. 2016 relating to the Department of Emergency Services, including the Division of Homeland Security and the Division of State Radio. **It was moved by Senator Flakoll, seconded by Representative Skarphol, and carried on a voice vote that this resolution be approved.**

The Council reviewed the study called for in House Concurrent Resolution No. 3063 relating to the delivery in funding of veterans' services by the state and counties. **It was moved by Representative Berg and seconded by Senator Robinson that this study be approved.** Senator Dever said this study is important even though most veterans' benefits are under federal law. He said some services are provided by counties and study is needed to see if there are things we can do to improve services to veterans. The chairman called for a vote on the motion, and **the motion carried on a voice vote.**

The Council reviewed the study called for in Section 3 of Senate Bill No. 2152 relating to the historic and anticipated uses of funds from the community health trust fund. Chairman Carlson announced that as there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Section 8 of House Bill No. 1004 relating to emergency medical services within the state. **It was moved by Senator Holmberg, seconded by Senator Robinson, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 14 of Senate Bill No. 2013 relating to the provision of services to children and adults who are deaf or hearing impaired, including the role of the North Dakota School for the Deaf. **It was moved by Representative Berg, seconded by Senator Holmberg, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 3 of Senate Bill No. 2186, relating to the temporary assistance for needy families (TANF) program. **It was moved by Representative Pollert, seconded by Representative Berg, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 18 of Senate Bill No. 2205 relating to the success and effects of the laws relating to the "SWAP proposal" which required counties to pay the entire cost of the local administration of Medicaid, energy assistance, basic care assistance, child care assistance, and TANF in exchange for the state's

assumption of the full responsibility for paying the grant costs associated with those programs. **It was moved by Representative Berg, seconded by Senator Flakoll, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in House Concurrent Resolution No. 3041 relating to the trends and correlations of property tax revenue in relation to funding human services delivery in individual counties. Representative Boucher said there are property tax rich and property tax poor counties. He said he believes this is an important study to determine whether the property tax is the correct way to pay for human services delivery. Representative Berg suggested the Legislative Council hold this resolution until the afternoon, and Chairman Carlson announced that this study would be taken up after lunch.

The Council reviewed the study called for in Section 9 of Senate Bill No. 2012 relating to infant development programs. **It was moved by Representative Meyer, seconded by Representative Boucher, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 4 of Senate Bill No. 2186 relating to the state's child care resource and referral system. Senator Robinson said he believes this would be an important study. After further discussion, Chairman Carlson announced that this study would be put on hold and discussed later in the day.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4008 relating to the delivery of child welfare services in this state. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4025 relating to the feasibility and desirability of developing and funding a program to provide services to youth in foster care who are preparing to transition to adulthood. Representative Boucher noted that this resolution is similar to the study called for in Senate Concurrent Resolution No. 4005, but he believes this resolution is broader because it is not limited to those with mental illness. Senator Stenehjem said he believes Senate Concurrent Resolution No. 4025 is more important than Senate Concurrent Resolution No. 4005 because it covers more youth. Chairman Carlson announced that this study would be put on hold and discussed later in the day.

The Council reviewed the study called for in House Concurrent Resolution No. 3046 relating to ways in which various public and private entities can cooperate with families to promote healthy lifestyles for children and to create awareness about the interplay of healthy lifestyle choices and educational success. **It was moved by Representative Mueller and seconded by Representative Kaldor that this study be given priority.** Representative Mueller said lifestyle issues, such as obesity and alcohol abuse,

are serious problems and this study may result in finding ways to bring the parties together to see what can be done. Representative Pollert said healthy lifestyles are part of the current educational programs and he questions what the Legislative Assembly can do about it. The chairman said there would be a roll call vote, and voting in favor of the motion were Representatives Boucher, Kaldor, Meyer, and Mueller and Senators Dever, Flakoll, Heitkamp, O'Connell, and Robinson. Voting against the motion were Representatives Carlson, Berg, Delzer, Pollert, and Skarphol and Senators Holmberg, Stenehjerm, and Wardner. Chairman Carlson announced that **the motion carried.**

The Council reviewed House Concurrent Resolution No. 3062 relating to solutions to the problem of underage drinking. Chairman Carlson announced that as there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4028 relating to the feasibility and desirability of establishing a paternity registry. Senator Holmberg said the reason for this resolution was that a senator had a constituent who had an adoption fall through because there was no paternity registry and the adopting parents were devastated. **It was moved by Senator Holmberg, seconded by Representative Boucher, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 23 of House Bill No. 1003 relating to the means by which the North Dakota University System can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs. **It was moved by Senator Holmberg, seconded by Senator Robinson, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 24 of House Bill No. 1003 relating to higher education professional student exchange programs, including a study of access to veterinary medicine programs. **It was moved by Senator Holmberg and seconded by Senator O'Connell that this study be approved.** Senator Holmberg said there is a need to study the veterinary medicine programs available to students in this state. Representative Kaldor questioned whether this study was premature. Senator Holmberg said there are several different programs that could be reviewed. Senator Heitkamp said he believes the State Board of Higher Education should bring initiatives to the Legislative Assembly because jurisdiction over these issues belongs to the State Board of Higher Education. The chairman called for a vote on the motion, and **the motion was defeated on a voice vote.**

The Council reviewed the study called for in Section 22 of House Bill No. 1018 relating to the feasibility and desirability of implementing a grant program for North Dakota students who are attending institutions of higher education and who have excelled

academically. **It was moved by Senator Flakoll and seconded by Senator Wardner that this study be approved.** In the discussion that followed, Senator Heitkamp said he was against the study because he believes the premise is wrong because this program is limited to those who have excelled academically, and he said there are many promising young people who could use assistance but do not have superior grade point averages. Chairman Carlson called for a vote on the question, and **the motion was defeated on a voice vote.**

The Council reviewed the study called for in Section 12 of Senate Bill No. 2030 relating to the delivery of services to English language learners. Chairman Carlson announced because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Section 14 of Senate Bill No. 2030 relating to federally funded afterschool programs. Chairman Carlson announced that because there was no discussion and no motion on this issue, this study would not be given priority.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4032 relating to ways in which schools and school districts can train teachers, counselors, and all other school staff to better identify high-risk students and provide programs designed to reduce the incidences of high-risk behaviors that can lead to suicide attempts. Senator Dever said he sponsored this resolution for a constituent whose son had committed suicide. He said he believes everyone who works with young people should be involved and he noted that the Mental Health Association in North Dakota has a suicide prevention program. Representative Mueller called attention to what had recently happened at Virginia Technological Institute and he said this study could be important. Senator Holmberg recounted his experiences as being a school counselor who very often did not recognize the early signs of potential suicides. **It was moved by Senator Dever, seconded by Representative Mueller, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 11 of Senate Bill No. 2030 relating to the appropriateness and adequacy of high school curriculum. **It was moved by Senator Flakoll, seconded by Representative Berg, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 13 of Senate Bill No. 2030 relating to the reauthorization of the No Child Left Behind Act. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in House Concurrent Resolution No. 3012 relating to the determination of the cost of elementary and secondary education. Senator Flakoll questioned the need for this study, as the North Dakota Commission

on Education Improvement provided for in Senate Bill No. 2200 will have money for a consultant and will hold hearings throughout the state. Senator O'Connell said he also is opposed to this study. Representative Skarphol said he favors studying these issues. Chairman Carlson announced that this study would be placed on hold and would be taken up in the afternoon.

The Council reviewed the study called for in Section 15 of Senate Bill No. 2030 relating to the feasibility and desirability of supporting teacher mentoring programs in urban and rural school districts. Senator Holmberg said the argument against legislation on this subject during the session was to the effect that school districts can already start mentoring programs for teachers. Chairman Carlson said because there was no motion on the subject, this study would not be given priority.

The Council reviewed Section 16 of Senate Bill No. 2030 calling for study of the short-term and long-term involvement of regional education associations. **It was moved by Senator Holmberg, seconded by Senator Flakoll, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Senate Concurrent Resolution No. 4030 relating to joint powers associations and school district reorganizations, annexations, and dissolutions. Representative Berg said he believes this subject is covered in the study provided in Section 16 of Senate Bill No. 2030. The chairman announced that because there was no motion on this subject, this study would not be given priority.

The Council reviewed Section 1 of House Bill No. 1213 calling for a study of the current state exemptions for bankruptcy and the desirability of updating these exemptions. Representative Meyer said she believes the study of bankruptcy laws needs to be looked at as the current laws are a mess. She said she believes the studies called for in House Bill No. 1213 and Senate Bill No. 2284 should be combined in one interim committee. **It was moved by Representative Meyer, seconded by Representative Boucher, and carried on a voice vote that the Council give approval to the studies called for in House Bill No. 1213 and Senate Bill No. 2284.**

The Council reviewed the study called for in Section 2 of Senate Bill No. 2217 relating to abstracters, title opinions, and title insurance. Senator Robinson said he believes this subject needs study as this is a problem in rural areas. Representative Carlson said consumers are often the losers now as they have to buy title insurance. **It was moved by Senator Robinson, seconded by Senator Stenehjem, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Senate Concurrent Resolution No. 4020 relating to the regulation of and consumer protection for timeshare agreements. Representative Meyer said this is a

problem in the southwestern part of the state in pheasant country. Representative Berg said ownership rights of landowners are clear under the current laws. **It was moved by Senator Heitkamp, seconded by Representative Meyer, and defeated on a roll call vote that this study be given priority.** Voting in favor of the motion were Representatives Kaldor and Meyer and Senators Heitkamp, Holmberg, O'Connell, Robinson, and Wardner. Voting against the motion were Representatives Carlson, Berg, Boucher, Delzer, Mueller, Pollert, and Skarphol and Senators Dever, Flakoll, and Stenehjem.

The Council reviewed the study called for in Section 9 of Senate Bill No. 2008 relating to the practices and laws relating to the sale of real estate by auctioneers. **It was moved by Senator Flakoll, seconded by Senator Stenehjem, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 2 of House Bill No. 1218 relating to the licensure, training, and classroom education requirements for electricians in this state. **It was moved by Representative Berg, seconded by Senator Dever, and carried on a voice vote that this study be approved.**

The Council reviewed Section 2 of House Bill No. 1299 calling for a study of the regulation and licensing of pharmacists in this state. **It was moved by Senator Stenehjem, seconded by Senator Flakoll, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 3 of Senate Bill No. 2060 relating to the laws providing criminal penalties for violation of the state's laws and administrative rules regulating occupations and professions. In response to a question from Representative Carlson, Mr. Buringrud explained the issue involved with criminal penalties applying to violations of administrative rules. Representative Mueller said each occupation has its own unique problems and there may not be a single solution to these problems. Senator Dever reported that during the last session, the laws relating to plumbers were changed to make the penalties similar to those for electricians. Chairman Carlson announced that this study would be put on hold and taken up again later in the day.

The Council reviewed the study called for in Section 1 of House Bill No. 1479 relating to the appropriateness of each agency exemption from the Administrative Agencies Practice Act. **It was moved by Representative Berg, seconded by Senator Wardner, and carried on a voice vote that this study be approved.**

The Council reviewed the study called for in Section 4 of House Bill No. 1321 relating to the extraterritorial zoning authority of cities. **It was moved by Senator Heitkamp and seconded by Representative Boucher that this study be approved.** In the discussion that followed, Senator Heitkamp said this is an area that is important.

Representative Carlson said he believes this study is more important in certain areas of the state than in others. Representative Berg questioned what the outcome would be of a study. Senator Heitkamp said he believes the issue is based upon the distance of extraterritorial jurisdiction held by cities. Representative Kaldor said there is also an issue with which jurisdictions have authority. Chairman Carlson called for a vote on the motion, and **the motion carried on a voice vote.**

The Council reviewed the study called for in House Concurrent Resolution No. 3059, which also called for a study of the exercise of extraterritorial zoning authority by cities. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Section 15 of Senate Bill No. 2009 relating to the transfer of predator control from the Agriculture Commissioner to the Game and Fish Department. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Section 2 of House Bill No. 1146 relating to issues related to the severance of hunting access from the surface estate. Representative Meyer said she believes this is an important study because hunting rights are valuable and hunting rights are not defined by law. **It was moved by Representative Meyer, seconded by Senator Wardner, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 2 of Senate Bill No. 2161 relating to the feasibility and desirability of implementing a system of computerized registration sites for certain criminal offenders if federal or other funds have not been awarded to the Attorney General by September 1, 2007. Chairman Carlson said it appears that this is a study that is contingent upon the lack of federal funds and if necessary this issue can be reopened at a later date and studied later in the interim.

The Council reviewed the study called for in Section 2 of House Bill No. 1219 relating to the feasibility and desirability of establishing a statewide automated victim information and notification system. Representative Meyer said victims need to be notified when the perpetrators are released from jail or when there are other changes. She suggested this study be combined with the study called for in House Concurrent Resolution No. 3048. **It was moved by Representative Meyer, seconded by Senator Robinson, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in House Concurrent Resolution No. 3048 relating to crime victims compensation funding. **It was moved by Representative Meyer, seconded by Representative Boucher, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in House Concurrent Resolution No. 3013 relating to statutes and institutional resources relating to the domestic violence protection order process. **It was moved by Representative Meyer, seconded by Representative Mueller, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in House Concurrent Resolution No. 3008 relating to the issues of fairness, equity, and the best interests of children as they relate to issues of child custody and visitation. Senator Heitkamp said there are no issues over which he gets more telephone calls than those relating to child custody issues. He said perhaps an interim committee should look at the Minnesota law on this subject, which he has been told works better than our law. **It was moved by Senator Heitkamp, seconded by Representative Boucher, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in House Concurrent Resolution No. 3056 relating to the search for and identification of missing persons. Representative Meyer said there is considerable confusion over this issue because there is no specific agency responsible for searching for missing persons. **It was moved by Representative Meyer, seconded by Representative Boucher, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in House Concurrent Resolution No. 3002 relating to the judicial election and judicial selection process in North Dakota. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4004 relating to the respective responsibilities of county and state judicial system personnel under the Juvenile Court Act. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in Section 1 of House Bill No. 1387 relating to the leasing or renting of facilities for use by district courts from counties or other political subdivisions, including the feasibility and desirability of counties retaining a portion of the fees collected by the counties in lieu of leasing or renting by the state. Chairman Carlson said it appears the focus of this study would be whether counties should be charging the state for rental of court facilities in those counties. Representative Meyer said this is a serious issue in some counties. **It was moved by Representative Meyer and seconded by Senator O'Connell that this study be given priority.** In the discussion that followed, Senator Stenehjem said he does not believe this study should be given priority, and he said there could even be consideration given to putting the locations of district courts out on bids to see which counties want them. Representative Berg questioned what the outcome of this study would be. In response



to a question from Representative Skarphol, Representative Meyer said she understands Ward County was told they could not charge the state for rent. Representative Skarphol said many rural counties want district judges located in their counties and perhaps this would open up the issue. Senator Dever said he believes the Supreme Court has jurisdiction over issues relating to district courts, and this is an issue the Supreme Court should bring to the Legislative Assembly. The chairman called for a vote on the motion and **the motion was defeated on a voice vote.** Chairman Carlson said this study would not be given priority.

The Council reviewed the study called for in Senate Concurrent Resolution No. 4011 relating to the formation of a North Dakota gaming commission. **It was moved by Senator Flakoll, seconded by Senator Holmberg, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 16 of House Bill No. 1015 relating to retirement program criteria and benefits for correctional officers and peace officers employed by state agencies. Representative Delzer said he does not believe one group of state employees should be singled out for special treatment. It was noted that the statutory Employee Benefits Programs Committee receives actuarial reports on any retirement proposals that are submitted to and accepted by the committee. **It was moved by Senator O'Connell, seconded by Senator Heitkamp, and defeated on a voice vote that this study be approved.** Chairman Carlson announced that this study would not be given priority.

The Council reviewed the study called for in House Concurrent Resolution No. 3026 relating to the feasibility and desirability of establishing legislation for the enforcement and assessment of several penalties for violation of the one-call excavation notice system. **It was moved by Senator Robinson, seconded by Representative Berg, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 28 of House Bill No. 1018 relating to wireless service providers in the state and how wireless service impacts the business climate in the state. **It was moved by Representative Boucher, seconded by Senator Robinson, and carried on a voice vote that this study be given priority.**

The Council reviewed the study called for in Section 11 of Senate Bill No. 2169 relating to the feasibility and desirability of collecting emergency 911 fees on the sale of prepaid wireless services. Chairman Carlson announced that because there was no discussion and no motion, this study would not be given priority.

The Council reviewed the study called for in House Concurrent Resolution No. 3044 relating to how the state might pursue additional uses of Lake Sakakawea and Missouri River waters. **It was moved by Representative Kaldor and seconded by Representative Mueller that this study be given**

**priority.** In the discussion that followed, Representative Boucher said this is a key issue and it is critical that the state be involved in these water issues. The chairman called for a vote on the motion, and **the motion carried on a voice vote.**

The Council took a luncheon break from 12:15 p.m. to 1:15 p.m.

## LEGISLATIVE BRANCH APPLICATIONS PROJECT

Chairman Carlson recognized Mr. Jim Gienger, Enterprise Solutions, Inc., the project manager of the legislative applications replacement project. Mr. Gienger introduced Mr. Paul DeMarco, Ms. Cheri Williams, Ms. Nancy Odell, Mr. Nils Edstrom, Ms. JoAnn Toporski, and Mr. David Kramer, who are here working on the project for PTC, the contractor for the legislative applications replacement project, and Ms. Lisa Feldner, Ms. Nancy Walz, and Mr. Mark Molesworth, from the Information Technology Department.

Mr. Gienger distributed a written presentation reviewing legislative applications replacement project activities from 2001 to date. A copy of the written presentation is on file in the Legislative Council office.

The presentation reviews the North Dakota Administrative Code rewrite project, which migrated the North Dakota Administrative Code--published by the Legislative Council--from an ATMS-based mainframe platform to an XML-based server platform in 2001-03. Mr. Gienger said the Administrative Code project initiated the process of analyzing XML-based products for a bill drafting environment. During June through December 2004, a formal infrastructure analysis was prepared concerning the legislative branch applications. During January through June 2005, funding was requested from the 59th Legislative Assembly. The Legislative Assembly replaced a specific appropriation amount with an authorization to use carryover funds, provided for the Legislative Management Committee to approve the project plan, and authorized the Legislative Council chairman to appoint an Executive Steering Group to provide overview of the project plan. Mr. Gienger reported that the Legislative Council chairman named a steering group consisting of Senators Randel Christmann, Ray Holmberg, Tom Seymour; Representatives Matthew M. Klein, Bob Skarphol, and Eliot Glassheim; Information Technology staff Lisa Feldner, Mike Ressler, and Nancy Walz; and Legislative Council staff John D. Olsrud, Jay E. Buringrud, Jim W. Smith, and Maryann F. Trauger.

During July through December 2005, Mr. Gienger said the business case and project charter was created and approved; a request for proposal (RFP) was developed seeking a vendor to perform the business process analysis, select projects, develop an architectural prototype, refine a budget, and provide a detailed project plan; the RFP was sent to over 100 vendors, five proposals were received, the final

two vendors were presented by the Executive Steering Group to the Legislative Management Committee; and the Legislative Management Committee selected PTC, the parent company of Arbortext. During January through September 2006 the Phase I plan was executed which included a business process analysis, functional specifications, technical specifications, cost-benefit analysis, project plan, and proof of concept. During October 2006 through May 2007, Phase II-Stage 0 (Catalyst Initiative) was initiated which provided for PTC to validate the business process analysis by interviewing individuals during the 2007 legislative session, to develop a conference committee system, and participate in technical meetings with the Information Technology Department. The 60th Legislative Assembly provided funding for Phase II implementation.

Mr. Gienger said the next steps for the project are to develop an agreement upon the statement of work and project plan for Phase II. He said the first draft of a statement of work was delivered May 4, 2007, although he would have preferred for the statement of work to be delivered in April to allow more time for review and revision. He said he is meeting with Information Technology Department personnel to review the solution proposed by PTC and PTC has suggested beginning Stage 1 of Phase II on June 4, 2007.

Mr. Gienger said the Phase I deliverables, which included the business process analysis, were completed within budget but over two months beyond the completion date. He said this was primarily due to the emphasis he placed on PTC completing a thorough business process analysis.

Mr. Gienger said current Phase II activity involves reviewing the draft statement of work with PTC personnel as well as with personnel from the Information Technology Department. He said revisions are necessary particularly with respect to establishing a specific timeline for deliverables during Phase II.

Representative Skarphol said he is disappointed that the draft statement of work does not include specific dates. Mr. Gienger said he is anticipating establishing specific dates with PTC by the end of this week. He said although PTC suggested specific dates for delivering a working system by September through November 2008, he thinks that is too late.

Representative Skarphol said the draft statement of work provides for a code freeze after second panel review. Mr. Gienger said PTC has shored up ambiguity in the draft statement of work as to freezing the code after the second review. He said there will be additional reviews beyond the second review. He said he expects a revised statement of work to be completed by the end of this week. He said he would like to see a timeline included in the statement of work and additional items before signing a statement of work.

Representative Skarphol said the Information Technology Department has suggested reducing the functionality of the system in order to reserve funds at the end of the project. Mr. Gienger said one or two items could be eliminated which are not necessary for system functionality, e.g., the use of bar coding to track bills in each chamber so as to identify the individual who has possession of a bill.

Representative Skarphol read a sentence from the draft statement of work to the effect that delays introduced into the development cycle by the Legislative Council in reviews or responses to requests for system access or other information affecting development activities may result in changes to schedule, scope, and project cost. Mr. Gienger said that wording needs to be clarified, but he noted PTC provided extra effort without additional cost for changes to the conference committee system during the 2007 legislative session.

In response to a question from Representative Carlson, Mr. Gienger said the same guidelines and requirements are being followed during this project as are followed by executive branch agencies.

In response to a question from Representative Boucher, Mr. Gienger said about \$1.5 million was available for Phase I and approximately \$1 million was used. He said Phase II was estimated at \$4.6 million. He said approximately \$500,000 remained from the initial funding for Phase I and \$250,000 was made available from the legislative budget and approved by the Legislative Management Committee so that Stage 0 (Catalyst Initiative) of Phase II was initiated during the 2007 legislative session. Mr. Gienger said approximately \$1.8 million has been invested to date and \$3.9 million remains for completion of Phase II through the end of the 2009 legislative session.

In response to a question from Representative Carlson, Mr. Gienger said if this project proceeds, the Legislative Assembly will own the custom code for the project and will license proprietary software from PTC.

At the request of Representative Skarphol, Mr. Mark Molesworth, Enterprise Project Manager, Information Technology Department, responded to questions from Representative Skarphol. Mr. Molesworth said he has not met with PTC personnel since the Executive Steering Group meeting last week although systems architects from the Information Technology Department have met with PTC personnel. He said the documentation provided under Phase I provides a good business analysis but he does not think a different consultant could use the documentation to design the system described by PTC without using PTC products. He said under standard development, with fixed pricing a system is designed to meet detailed specifications and a complete system is provided, while under agile development a system is designed to meet broad specifications and is revised as needed to complete the system.

In response to a question from Senator Robinson, Mr. Molesworth said he does not have the comfort level with this project that he could have.

Representative Carlson said he is not yet comfortable with signing a contract, but if details can be ironed out, a revised statement of work can be brought to the Legislative Council for approval at the June meeting.

In response to a question from Senator Heitkamp as to "Plan B" if the Legislative Council does not proceed with this project, Representative Carlson said if the Legislative Council does not proceed with this project, the legislative branch will continue to use the current systems, which will require the Information Technology Department to continue to provide and support mainframe platform services.

Chairman Carlson announced that the Council would return to consideration of proposed studies that were deferred for consideration. The Council took up the study called for in Section 4 of House Bill No. 1460 relating to the Workforce Safety and Insurance governance changes made by the 2007 legislative session. Senator Heitkamp said he does not believe this study should go to the Workers' Compensation Review Committee. He said the issue of this study is governance and he said perhaps the chairman could assign this study to a committee later in the interim if it appears there are issues that should be considered. Chairman Carlson announced this study would not be given priority at this time.

The Council returned to consideration of the study called for in Section 37 of House Bill No. 1092 relating to the application of and desirability of changing the law relating to the welfare of Indian children. Representative Boucher spoke in favor of giving the study priority, and he said there have been court cases in other states that should be reviewed. Chairman Carlson reported that Representative Boucher had moved and Senator Robinson had seconded a motion to give this study priority when it was considered earlier in the meeting. He called for a vote on the motion, and **the motion was defeated on a roll call vote**. Voting in favor of the motion were Representatives Boucher, Kaldor, Meyer, and Mueller and Senators Heitkamp, O'Connell, and Robinson. Voting against the motion were Representatives Carlson, Berg, Delzer, Pollert, and Skarphol and Senators Dever, Flakoll, Holmberg, Stenehjem, and Wardner.

Chairman Carlson said he believes whatever committee considers child welfare issues will probably be looking at this issue.

The Council returned to consideration of the study called for in House Concurrent Resolution No. 3034 relating to the feasibility and desirability of addressing the current imbalance in the funding and governance of the Potato Council. Senator Flakoll said he believes the parties to this issue should get together and come to the next legislative session with proposed legislation. Chairman Carlson said it appears no minds have been changed on this issue.

With no motion to approve, Chairman Carlson announced that this study would not be given priority.

The Council returned to consideration of the study called for in House Concurrent Resolution No. 3041 relating to the trends and correlations of property tax revenue in relation to funding human services delivery in individual counties. Representative Boucher said he believes the issue of funding human services programs with property taxes needs to be reviewed because of the disparity in wealth between counties. Representative Delzer said he does not support studying this issue, and he believes the study called for in Section 18 of Senate Bill No. 2205 relating to the SWAP legislation will adequately review this issue. **It was moved by Representative Boucher, seconded by Senator O'Connell, and defeated on a voice vote that this study be approved.** Chairman Carlson announced that this study would not be given priority. In response to a question from Representative Skarphol, it was noted that some tribal members' homes are taken off the tax rolls, and Representative Boucher said it is the taxpayer's choice.

The Council returned to consideration of the study called for in Section 4 of Senate Bill No. 2186 relating to the state's child care resource and referral system. Representative Meyer said working parents need child care and this is a real problem in some parts of the state. Representative Pollert said he believes this issue will be studied by the committee assigned to study TANF. Representative Delzer agreed, and said that study takes priority over this one. Representative Kaldor said he also believes the study called for in Section 3 of Senate Bill No. 2186 will cover this issue.

The Council returned to consideration of the study called for in Senate Concurrent Resolution No. 4025 relating to programs for youth in foster care who are preparing to transition to adulthood. Representative Kaldor said he believes people in foster care need help in transitioning to adulthood. Representative Berg said Senate Concurrent Resolution No. 4005 is similar and has been given priority. Chairman Carlson announced that because there had been no motion to approve, this study would not be given priority.

The Council returned to consideration of the study called for in House Concurrent Resolution No. 3012 relating to the determination of the cost of elementary and secondary education. Representative Mueller said he does not believe this study is needed as the information is available. Chairman Carlson announced because there had been no motion to approve, the study would not be given priority.

The Council returned to consideration of the study called for in Section 3 of Senate Bill No. 2060 relating to criminal penalties for violation of the state's laws and administrative rules regulating occupations and professions. **It was moved by Representative Berg and seconded by Representative Pollert that the Council approve this study.** Senator Heitkamp said it is a good idea to look at criminal penalties for violating administrative rules. Senator Stenehjem

agreed and said administrative rules do not get the attention that changes in state law get during legislative sessions, and he said protections of individuals need to be reviewed. Chairman Carlson called for a vote on the motion, and **the motion carried on a voice vote.**

The Council returned to a review of the study called for in House Concurrent Resolution No. 3008 relating to the issues of fairness, equity, and the best interests of children as they relate to issues of child custody and visitation. Representative Berg questioned what a study would accomplish. Senator Heitkamp said the voters spoke on this issue but people are under the impression this issue is going to be studied. He said he also questions what the result will be but perhaps looking at other states' laws might be helpful. Representative Kaldor said if this study is not given priority, it sends the message that the present system cannot be improved. Chairman Carlson said perhaps this study should be limited to reviewing the best state practices for child custody. He said hopefully this would avoid opening the hearings as forums for disgruntled individuals to complain about their domestic problems. **It was moved by Senator Heitkamp, seconded by Senator O'Connell, and carried on a voice vote that this study be given priority but that it be limited to look at best state practices regarding child custody.**

**It was moved by Senator Stenehjem, seconded by Representative Berg, and carried on a roll call vote that the Council give approval to the list of studies placed in the approved category.** Voting in favor of the motion were Representatives Carlson, Berg, Boucher, Delzer, Kaldor, Meyer, Mueller, Pollert, and Skarphol and Senators Dever, Flakoll, Heitkamp, Holmberg, O'Connell, Robinson, Stenehjem, and Wardner.

Chairman Carlson announced that the next meeting would be on Wednesday, June 6, 2007. He reported that the main item on the agenda at that meeting would be approving an interim committee structure.

Chairman Carlson said the Correctional Facility Review Committee needs to start its interim assignments so he was announcing the members of that committee now. He said Representative Pollert would chair the committee and other members would be Representatives Alon Wieland and Ralph Metcalf and Senators Tony Grindberg, O'Connell, and Stenehjem.

Chairman Carlson said it will also be necessary for the Administrative Rules Committee and the Legislative Audit and Fiscal Review Committee to meet in the next few weeks, and meeting notices would probably be going out under his authority as the chairmen would not be announced until the meeting on June 6.

Chairman Carlson announced that the membership of the Budget Section would consist of the same membership as before, including members of the House and Senate Appropriations Committees, the majority and minority leaders and their assistants from both houses, and the Speaker of the House. He said Senator Holmberg will be chairman of the Budget Section and will be calling a meeting of the Budget Section.

**It was moved by Senator Robinson, seconded by Senator O'Connell, and carried on a voice vote that the chairman be authorized to prepare a proposed interim committee structure and a questionnaire containing the proposed committee structure and to send the questionnaire to legislators to indicate their preference for service on interim committees.**

Chairman Carlson adjourned the meeting at 3:15 p.m.

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John D. Olsrud  
Director

ATTACH:1