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## LEGISLATIVE MANAGEMENT

Thursday, March 19, 2020  
Senate Chamber, State Capitol  
Bismarck, North Dakota

Representative Chet Pollert, Chairman, called the meeting to order at 9:30 a.m.

**Members present:** Representatives Chet Pollert, Josh Boschee, Bill Devlin, Karla Rose Hanson, Lawrence R. Klemin, Mike Lefor, Karen M. Rohr; Senators Randy Burckhard, Joan Heckaman, Ray Holmberg, Jerry Klein, Erin Oban, Donald Schaible, Ronald Sorvaag, Rich Wardner

**Member absent:** Representative Scott Louser

**Others present:** Kyle W. Forster and Cody Malloy, Legislative Council, Bismarck

**It was moved by Representative Rohr, seconded by Representative Boschee, and carried on a voice vote that the minutes of the June 10, 2019, meeting be approved as distributed.**

Chairman Pollert said pursuant to North Dakota Century Code Section 54-35-01(4), the House members of the Legislative Management have the responsibility to select a new member to fill the vacancy caused by the resignation of former Representative Jim Grueneich. He said Representative Michael Howe was the legislator who received the highest number of votes from the House Republican caucus and who was not selected to the Legislative Management at the conclusion of the 2019 legislative session.

**It was moved by Representative Klemin, seconded by Representative Rohr, and carried on a roll call vote that Representative Michael Howe be appointed to fill the vacancy on the Legislative Management.** Representatives Pollert, Boschee, Devlin, Hanson, Klemin, Lefor, and Rohr voted "aye." No negative votes were cast.

Chairman Pollert called on Mr. John Bjornson, Director, Legislative Council, to provide information regarding consideration of consent to appointments to the Higher Education Grant Review Committee. The Director said Section 15-10-51 provides the State Board of Higher Education must appoint two members to the Higher Education Grant Review Committee, which are subject to consent from the Legislative Management.

**It was moved by Senator Klein, seconded by Senator Wardner, and carried on a roll call vote that the Legislative Management consent to the appointment by the State Board of Higher Education of Mr. Nicholas Hacker and Ms. Kathleen Neset to the Higher Education Grant Review Committee.** Representatives Pollert, Boschee, Devlin, Hanson, Klemin, Lefor, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

Representative Klemin said because some of the individuals who were scheduled to present at the March 24, 2020, meeting of the Judiciary Committee indicated they would be unable to attend, he canceled the meeting. He said there was no reason the committee could not delay the meeting. He said some guidance from Chairman Pollert regarding whether to cancel meetings would be helpful for all committee chairmen.

Chairman Pollert said he requested all committee chairmen to visit with him before canceling meetings. He said some chairmen have canceled meetings because the chairmen have determined it would be difficult to conduct the meetings due to presenters being unavailable or because the work of the committees could be delayed. He said other committees have time-sensitive deadlines or business that must be conducted, and the chairmen of those committees have gone forward with meetings. He said the Legislative Council staff has made arrangements to conduct meetings by teleconference. He said each committee chairman will need to decide if and when a committee meeting is necessary.

In response to a question from Senator Sorvaag, Chairman Pollert said committee chairmen often have avoided holding meetings in April and May to avoid the planting season for farmers. He said if meetings are not necessary, delaying meetings until June may be advisable considering the recommendations to self-distance.

Representative Klemin said the Judiciary Committee was assigned a study of the implications of the potential adoption of an initiated measure allowing the use of recreational marijuana. He said there are petitions for two initiated measures that could be voted upon at the general election. He said the report of the committee with respect to that study should be submitted to the Legislative Management before the general election in November.

In response to a question from Chairman Pollert, the Director said if any initiated measures are placed on the general election ballot, the Legislative Management will be required to meet at least 30 days before the election to receive information relating to the fiscal impact of the measures.

Representative Boschee said he has concerns with the idea of an interim committee submitting a final report earlier than normal which could influence voters regarding an initiated measure. He said there is the separate process in place for the receipt of the fiscal impact statements.

Representative Klemin said the report from the Judiciary Committee would include fiscal impacts related to the legalization of marijuana.

Representative Lefor said the Employee Benefits Programs Committee has a deadline by which it must consider bills affecting the Public Employees Retirement System. He said the committee will be able to hold its April 15, 2020, meeting by teleconference.

Chairman Pollert said it is the responsibility of the Legislative Management to determine the dates of the organizational session. He said, by law, December 1 is the earliest possible convening date. He said the three options for the organizational session are December 1-3, December 2-4, and December 7-9. He said whichever dates are chosen, there will be conflicts with the Council of State Governments' annual meeting or the National Conference of State Legislatures' Capitol Forum. He said an earlier date will allow more time between the organizational session for legislators to have bills drafted and for the Legislative Council staff to train session employees.

Representative Hanson said the members of her caucus would support an earlier date.

Senator Oban said the members of her caucus also would support an earlier date.

**It was moved by Senator Holmberg, seconded by Senator Oban, and carried on a roll call vote that the organizational session for the 2021 Legislative Assembly be scheduled for December 1-3, 2020.** Representatives Pollert, Boschee, Devlin, Hanson, Klemin, Lefor, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

Chairman Pollert said legislative leaders have met with the Governor regarding the coronavirus (COVID-19) situation. He said legislators have expressed to the Governor the need to keep members of the Legislative Assembly up to date with the situation because legislators are receiving inquiries regularly from constituents and it is important for legislators to be able to provide accurate information at the local level. He said leaders have received assurance the Governor's office will be providing updates to legislative leaders from both parties on daily phone conferences. He said they also discussed having the Legislative Council staff involved in meetings so the staff can help legislators stay informed.

Senator Heckaman said daily updates are needed to help provide constituents information they are seeking from the state.

Chairman Pollert said each of the caucus leaders should try to designate members who can serve as contacts for updates from the executive branch. He said it is important to reduce the number of legislators contacting executive branch officials to ask similar questions. If information is funneled through a limited number of individuals, he said, there will be less impact on executive branch officials who are working in emergency response roles.

No further business appearing, Chairman Pollert adjourned the meeting at 10:10 a.m.

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John Bjornson  
Director