

# NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

## COMMERCE COMMITTEE

Thursday, July 12, 2001  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator John M. Andrist, Chairman, called the meeting to order at 1:30 p.m.

**Members present:** Senators John M. Andrist, Duaine C. Espgaard, Tony Grindberg, Joel C. Heitkamp, Karen K. Krebsbach, Deb Mathern, Carolyn Nelson, Rich Wardner; Representatives Rick Berg, Pat Galvin, Scot Kelsh, Bob Martinson, Bill Pietsch, Dale C. Severson, Blair Thoreson

**Members absent:** Representatives Byron Clark, Mark A. Dosch, Glen Froseth, Doug Lemieux, Lonny Winrich

**Others present:** See attached appendix

At the request of Chairman Andrist, Mr. John D. Olsrud, Director, Legislative Council, reviewed the *Supplementary Rules of Operation and Procedure of the North Dakota Legislative Council*.

### OCCUPATIONAL AND PROFESSIONAL BOARDS STUDY

At the request of Chairman Andrist, committee counsel presented the background memorandum *Occupational and Professional Boards of Less Than 100 Licensees - Background Memorandum* relating to the committee's study, as directed by Section 2 of House Bill No. 1377, to study the ability of occupational and professional boards with fewer than 100 licensees to process disciplinary complaints and carry out other statutory responsibilities. Committee counsel said the study should address the procedures used by these boards to respond to disciplinary complaints and initiate disciplinary actions; the ability of these boards to pay for the cost of disciplinary action; the legal services and staff services available to assist these boards with the processing of disciplinary complaints; and the performance by these boards of their other statutory responsibilities.

Committee counsel said an informal survey performed by the Attorney General's office indicates that four occupational and professional boards report fewer than 100 licensees or registrants:

1. Board of Hearing Instrument Dispensers;
2. Board of Podiatric Medicine;
3. State Board of Reflexology; and
4. State Board of Registration for Professional Soil Classifiers.

Committee counsel said each of these four boards is created and governed by its own unique body of

law. She said the board membership, the board powers and duties, the fee structure, and the particulars of the disciplinary proceedings for each board are unique to each board; however, commonalities between the boards include the application of the North Dakota Administrative Agencies Practice Act.

#### Board of Hearing Instrument Dispensers

Committee counsel said the Board of Hearing Instrument Dispensers is created under North Dakota Century Code (NDCC) Chapter 43-33. She said the survey performed by the Attorney General's office indicates there are approximately 63 hearing instrument dispenser specialists licensed by the board. The North Dakota Century Code and the North Dakota Administrative Code, she said, address the board's duties, the fees charged by the board, the disciplinary procedures, and grounds for disciplinary proceedings.

#### North Dakota Board of Podiatric Medicine

Committee counsel said the North Dakota Board of Podiatric Medicine is created under NDCC Chapter 43-05. She said the survey performed by the Attorney General's office indicates there are approximately 24 podiatrists licensed by this board. The North Dakota Century Code and the North Dakota Administrative Code, she said, address fees charged by the board, disciplinary procedures, and grounds for discipline.

#### North Dakota Board of Reflexology

Committee counsel said the North Dakota Board of Reflexology is created under NDCC Chapter 43-49. She said the survey performed by the Attorney General's office indicates there are approximately 18 reflexologists licensed by this board. She said the North Dakota Century Code addresses the issues of fees and discipline.

#### State Board of Registration for Professional Soil Classifiers

Committee counsel said the State Board of Registration for Professional Soil Classifiers is created under NDCC Chapter 43-36. She said the survey performed by the Attorney General's office indicates there are approximately 35 to 40 professional soil

classifiers licensed by this board. She said the North Dakota Century Code and the North Dakota Administrative Code address the board's powers and duties, fees, disciplinary procedure, and grounds for discipline.

### Study Approach

Committee counsel said study approaches to the study of occupational and professional licensing boards with fewer than 100 licensees may include:

- Reviewing the law governing each board and the administrative rules adopted by each board.
- Contacting each board and requesting information regarding the board's history regarding disciplinary proceedings, including the statutory authority to initiate disciplinary proceedings, the frequency of disciplinary proceedings, the expenses associated with disciplinary proceedings, and the legal and administrative services necessary to initiate and pursue disciplinary proceedings and the availability of these services.
- Consulting with the Attorney General's office regarding the study.
- Contacting the Council for Licensure, Enforcement and Regulation (CLEAR), the purpose of which includes bringing "together government officials and agencies involved in or affected by professional and occupational regulation," providing "education and training to governmental officials and other interested parties concerned with professional and occupational regulation," and improving "the administrative regulatory practices of government officials and agencies concerned with professional and occupational regulation."

Upon receipt of this information, she said, the committee may consider whether the current board structures are effective or whether it might be desirable to consolidate, disband, or otherwise modify the boards; whether a board's membership is appropriate or whether it might be desirable to change the membership compositions; and whether the state is adequately protected from liability for actions of the boards.

### Interested Persons

Chairman Andrist called on Mr. James Fleming, Assistant Attorney General, for comments regarding the study. Mr. Fleming offered the assistance of the Attorney General's office. He said in obtaining legal services, the four occupational and professional boards the committee is studying may choose between receiving services from a private attorney or from the Attorney General's office. He said two of the boards the committee is studying contract for private legal services, and the other two boards contract for legal services with the Attorney General's office. He

said in pursuing the study, in addition to using the Council for Licensure, Enforcement and Regulation, the committee may want to consider using the Federal Association of Regulatory Boards as a resource.

In response to a question from Senator Andrist, Mr. Fleming said a commonality between North Dakota's occupational and professional boards is that they are primarily stand-alone boards, i.e., the boards are not affiliated with a particular state agency. Regarding whether there is an inherent conflict with occupational and professional boards prosecuting disciplinary actions against individuals in their own profession, he said although he does not know what the Attorney General's position is on the matter, it is common for professions to regulate themselves.

In response to a question from Representative Galvin, Mr. Fleming said occupational and professional licensing boards usually have the power to discipline members of their own profession, including revocation of a license. He said typically these disciplinary procedures allow for an appeal to the district court. He said the theory behind allowing occupational and professional boards to discipline members of their own profession is that members of a profession are best qualified and hold the necessary expertise required to make determinations on whether discipline is appropriate.

Representative Galvin said it is his understanding that the Board of Barber Examiners does not have the authority to revoke or deny a license.

In response to a question from Representative Berg, Mr. Fleming said he does not know what the Attorney General's position is regarding how to help boards of occupations and professions regarding disciplinary matters; however, he said it may be helpful for the committee to look at how other similarly situated states address this issue. He said one of the problems associated with three-member occupational and professional boards is that if two of the members discuss board business, it is a quorum, and the board is exposed to issues relating to open meetings. He said for this reason, it is best to create boards with at least five members. He said serving on an occupational and professional board can be a thankless job, and board members may find that they lose money in serving as a member on the board.

In response to a question from Senator Heitkamp regarding board liability, Mr. Fleming said although the state law applies to some liability issues related to boards, the law does not address liability for disciplinary expenses.

Chairman Andrist called on Mr. Doug Schauer, Chairman, Board of Hearing Instrument Dispensers, for comments regarding the study. Mr. Schauer said the Board of Hearing Instrument Dispensers has a two-term limit for board members.

In response to a question from Senator Nelson, Mr. Schauer said the current composition of the board

includes members from Bismarck, Jamestown, Grand Forks, Fargo, and Hunter. He said the board licenses anyone who dispenses a hearing aid; however, the board does not have control over mail-order businesses located outside the state.

Mr. Fleming said the point-of-sale is the test used for determining which state regulates a seller of hearing instruments.

In response to a question from Senator Wardner, Mr. Schauer said the board is experiencing increasing difficulty finding members to serve on the board as the number of disciplinary complaints increases.

In response to a question from Senator Krebsbach, Mr. Schauer said the complaints received by the board come from a variety of sources. He said most of the complaints the board receives are contractual complaints by consumers which the board does not typically address. He said since he has served on the board, there has been one legal proceeding, which cost approximately \$20,000. The cost of the proceeding, he said, was paid from licensure fees.

In response to a question from Representative Thoreson, Mr. Schauer said the number of complaints the board receives annually fluctuates between 5 and 10.

Chairman Andrist called on Mr. Gary R. Thune, North Dakota Board of Podiatric Medicine legal counsel, for comments regarding the study. Mr. Thune said the North Dakota Board of Podiatric Medicine provides for a two-term limit for board members. He said legislative changes were made during the 2001 legislative session to provide for board membership to include a public member. He said the board's primary interest is protection of the public. He said self-regulation of the profession works because professionals know the profession better than nonprofessionals.

In response to a question from Senator Andrist, Mr. Thune said the State Board of Medical Examiners opposes expanding its jurisdiction to include licensure of podiatrists. He said this opposition is in large part due to the North Dakota Board of Podiatric Medicine's financial liabilities and because of the expenses associated with disciplinary administrative hearings. He said the cost of an administrative hearing is approximately \$50,000. Although most podiatrists prefer to remain separate from the State Board of Medical Examiners, he said, the profession realizes there are financial difficulties associated with remaining a separate board.

### **Committee Discussion and Directives**

In response to a question from Senator Nelson, committee counsel said the laws addressing the appointment and terms of board members are unique to each of the four boards.

Representative Berg said the issues before the committee include enforcement of the laws of the

professions, self-funding the boards, and the size of the board versus the size of the profession. He said the committee should keep in mind that occupational and professional board members typically serve in a voluntary capacity, and the boards typically do not have the resources necessary to hire staff; therefore, the committee may want to consider looking at how the state may be able to help boards enforce their licensure duties and be more effective.

Senator Andrist said the state has tried to implement "super boards," which would regulate multiple professions. He requested that Legislative Council staff provide information at a future meeting regarding models of other states' occupational and professional boards regarding discipline. Additionally, he requested that Legislative Council staff gather information for a future meeting regarding how other states address who is responsible for disciplining professionals and regarding consolidation of occupational and professional boards.

Representative Berg requested that Legislative Council staff contact the Council for Licensure, Enforcement and Regulation and the Federal Association of Regulatory Boards for information regarding best practices.

Senator Espgaard said the committee should review the issue of liability of the state for actions of occupational and professional boards and how other states address this concern.

Mr. Olsrud said the committee may want to consider the issue of whether an occupational and professional board can purchase liability insurance.

### **BUSINESS PROGRAMS STUDY**

Chairman Andrist called on committee counsel to present the background memorandum *Programs for New or Expanding Businesses - Background Memorandum* relating to the committee's study, as directed by Section 16 of Senate Bill No. 2019, to study the availability of venture capital, tax credits, and other financing and research and development programs for new or expanding businesses. Committee counsel said the study includes an inventory of the programs available, a review of the difference between public and private venture capital programs, an assessment of the needs of business and industry, a review of the research and development efforts of the North Dakota University System, and a review of the investments of the North Dakota State Investment Board and of the feasibility and desirability of investing a portion of the State Investment Board's funds in North Dakota.

Committee counsel reviewed legislative activity during the 2001 legislative session regarding programs for new or expanding businesses and successful legislation from the 1999, 1997, and 1995 legislative sessions regarding programs for new or expanding businesses. She said previous studies include the study of economic development efforts in

the state performed by the Legislative Council's interim Commerce and Labor Committee during the 1999-2000 interim. As part of the 1999-2000 interim study, she said, the Commerce and Labor Committee considered the issues of venture capital, privatization and consolidation of state economic development efforts, population retention and demographics, and workforce development.

Committee counsel reviewed state programs for new and expanding businesses provided by the Bank of North Dakota, the Department of Commerce Division of Economic Development and Finance, and the Tax Department. During the 1999-2000 interim, she said, the Commerce and Labor Committee compiled a list of economic development functions provided by the state. As part of this exercise, she said, the committee learned there was no existing list of economic development functions provided by the state.

Committee counsel reviewed the composition of the North Dakota State Investment Board; the board's duties; the investment goals, objectives, and asset allocations of the board; the prudent investor rule; and the Teachers' Fund for Retirement and the Public Employees Retirement System exclusive benefit requirement.

### Study Approach

Committee counsel said a possible approach to the study of programs for new and expanding businesses would be to:

- Take an inventory of state programs for new and expanding businesses which includes programs of the Tax Commissioner, Department of Commerce, Bank of North Dakota, and University System.
- Receive testimony from the Securities Commissioner and venture capital corporations regarding the differences between public and private venture capital programs.
- Receive testimony from businesses and entities such as the Greater North Dakota Association, North Dakota Economic Development Association, National Governors Association Center for Best Practices, State Science and Technology Institute, and National Association of State Development Agencies regarding the needs of businesses.
- Receive testimony regarding the research and development efforts of the University System.
- Receive testimony from the North Dakota State Investment Board regarding the investments of the state bonding fund, Teachers' Fund for Retirement, state fire and tornado fund, workers' compensation fund, National Guard tuition trust fund, Public Employees Retirement System, insurance regulatory trust fund, state risk management fund, and Veterans Cemetery trust fund.

### Interested Persons

Chairman Andrist called on Mr. Steve Cochrane, Executive Director, North Dakota State Investment Board, Bismarck, for comments regarding the committee's study. Mr. Cochrane provided the committee with a document entitled *Indiana Pension Funds: Expanding the Impact of Equity, Fiscal Policy Report No. 19, May 2000*, a copy of which is on file in the Legislative Council office. He said the report is an evaluation of Indiana's public equity investment performance, a review of benefits and risks of private equity investing, and a report on other states' approach to the asset class.

Mr. Cochrane said each of the funds managed by the board creates its own investment policy, and the board implements these policies. He said in addition to investment policy created by the funds, some investment policy is statutory, such as the exclusive benefit rule and prudent investor rule. He said occasionally the prudent investor rule complements economic development, such as the MATCH loan program with the Bank of North Dakota. Additionally, he said, the board has \$30 million to \$40 million in a demand deposit account with the Bank of North Dakota and participates in a private equity program with the Public Employees Retirement System and Teachers' Fund for Retirement.

Chairman Andrist called on Ms. Linda Butts, Director, Department of Commerce Division of Economic Development and Finance, for comments regarding this study.

Chairman Andrist called on Ms. Donnita Wald, Tax Department, for comments regarding this study. Ms. Wald offered the committee the services of the Tax Department in pursuing this study.

In response to a question from Representative Berg, Ms. Wald said the state income tax short form allows for the seed capital investment tax credit, the agricultural investment credit, and renaissance zones credits and exemptions.

Chairman Andrist called on Mr. Dale O. Anderson, President, Greater North Dakota Association, Bismarck, for comments regarding the committee's study. Mr. Anderson said that in addition to representing the Greater North Dakota Association, for purposes of this meeting, he is also representing the Economic Development Association of North Dakota.

In response to a question from Senator Grindberg, Mr. Anderson said the New Economy Initiative is a project coordinated by the Greater North Dakota Association and will be having a press conference within the next 10 days. He said the press conference will be helpful in providing suggestions to the committee regarding proposing study approaches.

In response to a question from Representative Berg, Mr. Anderson said the overall theme of the New Economy Initiative is to generate initiatives, each with a champion who establishes a game plan for achieving the initiative. He said at this point there are

44 initiatives, including the initiative headed by Ms. Katherine Satrom to change the state's name to Dakota.

Chairman Andrist called on Mr. Eddie Dunn, Chancellor for Strategic Planning and Executive Director, North Dakota University System, Fargo, for comments regarding this study. Mr. Dunn expressed his interest in the committee's study of workforce training and development programs, especially as it applies to the University System's role in research and development. He recommended that the committee work with Mr. Philip Boudjouk, Vice President for Research, Creative Activities, and Technology Transfer, North Dakota State University, Fargo, and recommended the committee use Mr. Boudjouk as a resource.

In response to a question from Senator Nelson, Mr. Boudjouk said the issue of the availability of capital is a critical factor in research and development. He said costs associated with patenting an idea may exceed \$200,000, and these funds are not available through the University System.

In response to a question from Senator Wardner, Mr. Boudjouk said the Higher Education Roundtable is familiar with the issues relating to the costs of development of intellectual property.

In response to a question from Senator Grindberg, Mr. Boudjouk said Maryland is one of the states that is ahead of the game in addressing the issue of the development of intellectual property.

### **Committee Discussion and Directives**

Senator Grindberg said he was a member of the conference committee that included Section 17 in Senate Bill No. 2019 providing for this study. He said that venture capital is a hot topic nationwide, and the committee should look at a strategic plan for purposes of programs for new and expanding businesses. He said the plan should consider what links might be missing in the continuum of services, what the research and development needs of the state are, and an evaluation of which programs work and which programs do not work.

Representative Berg requested information from the Tax Department at a future meeting regarding the forms used for income tax credits and exemptions, information regarding the exemptions available, and information regarding the use of the exemptions and credits.

Chairman Andrist said the business incentive study is very broad in scope, and he may request the Legislative Council chairman to approve formation of subcommittees to study this issue.

### **INTERNATIONAL MARKETING STUDY**

Chairman Andrist called on committee counsel to present the background memorandum *International Marketing - Background Memorandum* relating to the committee's study, as directed by Section 17 of

Senate Bill No. 2019, to study the feasibility and desirability of expanding North Dakota's economic development marketing to include international markets and establishing a global marketing division within the Department of Commerce. Committee counsel said the study provision is included as part of the Department of Commerce appropriations bill.

Committee counsel said during the 1999-2000 interim the Legislative Council's interim Commerce and Labor Committee studied the economic development efforts in this state. As a result of the study, she said, the committee recommended Senate Bill No. 2032, which created a Department of Commerce. She said the original Department of Commerce bill would have required that the Department of Commerce include a division of international trade; however, this provision was removed from the bill during the legislative session.

Committee counsel said a study performed by the Massachusetts Institute for Social and Economic Research indicated that in North Dakota in 1999, machinery accounted for \$300 million worth of exports, crops accounted for \$131 million worth of exports, food and kindred products accounted for \$99 million worth of export products, and transportation equipment accounted for \$93 million worth of export products.

In response to a question from Representative Thoreson, committee counsel said the Massachusetts Institute for Social and Economic Research reports that the export crop figure of \$131 million may be low. She said it would be possible to seek additional information regarding this figure.

Committee counsel said that neither the Department of Commerce nor the Department of Commerce Division of Economic Development and Finance is required to include an international marketing component; however, under its existing structure, the Department of Commerce Division of Economic Development and Finance does appear to offer some basic international trade services. Additionally, she said, the Commissioner of Commerce is authorized to create any division the commissioner determines is necessary, and the director of the Division of Economic Development and Finance is authorized to create any office the director determines is necessary.

### **Study Approach**

Committee counsel said a possible approach to the study of international marketing would be to:

- Receive testimony from the Department of Commerce regarding international marketing services provided by the department and regarding the international marketing service needs of the state.
- Receive testimony from businesses, the Greater North Dakota Association, North Dakota Economic Development Association,

and commodity boards regarding international marketing efforts and needs.

- Receive information regarding international marketing efforts of other states from national organizations such as the National Association of State Development Agencies.

### Interested Persons

Chairman Andrist called on Ms. Butts for comments regarding this study. She said the division no longer has an employee in the position of international trade. She said the area of international trade is an area that is grossly underdeveloped in North Dakota's economic development services. She said the work the division has done with the National Association of State Development Agencies has resulted in a recommendation from the association that the division include services in the area of international trade.

Mr. Anderson said the New Economy Initiative will have several initiatives that will have international marketing potential and opportunity.

Ms. Butts suggested the committee consider receiving information from businesses regarding what the current barriers are to international trade and how these businesses have succeeded in overcoming these barriers.

### Committee Discussion and Directives

Representative Martinson said it is hard to believe that in the 21st century it is actually necessary to study whether international trade is a necessary service to offer through the state. He said during the legislative session the Commerce Department was marketed in part as saving full-time employment positions; however, now the department is requesting a new employee to provide international marketing services. He requested from Ms. Butts a list of all employees in the Department of Commerce which includes the individual's name and the individual's job title.

Ms. Butts said the economies related to creation of the Department of Commerce are primarily administrative in nature.

Senator Grindberg requested information for a future meeting regarding an inventory of efforts the Department of Commerce is pursuing in the area of overseas marketing.

Representative Berg requested information at a future meeting from businesses that are currently exporting goods to other countries. He said it would be helpful to determine what the needs are of these companies that are already exporting products. There is value, he said, to increasing existing exports versus creating new exporters.

Senator Espegard said that in increasing exports, it will be valuable to take advantage of existing networks of overseas exports.

Representative Martinson said it may be valuable to combine Pride of Dakota with the Department of Commerce.

Chairman Andrist requested that Ms. Butts arrange to have representatives of three or four businesses address the committee at the next meeting, including Pride of Dakota.

Representative Pietsch said that during Governor Sinner's administration, there was an individual in Asia with whom the state contracted with to perform international trade services. He requested information at a future meeting regarding this program and why it did or did not work.

## WORKFORCE TRAINING AND DEVELOPMENT PROGRAMS STUDY

Chairman Andrist called on committee counsel to present the background memorandum *Workforce Training and Development Programs - Background Memorandum* relating to the committee's study, as directed by Section 4 of Senate Bill No. 2020, to study workforce training and development programs in North Dakota. Committee counsel said the study was included in the vocational and technical education appropriations bill.

Committee counsel said related studies during the 2001-02 interim include:

- Section 2 of Senate Bill No. 2020 which requires the Department of Commerce Division of Workforce Development to prepare a report annually on workforce training and development activities of the North Dakota University System, Job Service North Dakota, Department of Human Services, State Board for Vocational and Technical Education, Department of Commerce, and other workforce partners and to present the report to the Appropriations Committees of the 58th Legislative Assembly.
- Section 5 of Senate Bill No. 2020 which requires the North Dakota University System to report during the 2001-02 interim to the Budget Section regarding the amount of funds raised in each region of the state during the first fiscal year of the biennium and the amount anticipated to be raised before June 30, 2003.
- Section 17 of Senate Bill No. 2003 which directs a study during the 2001-02 interim of the responsibilities and functions of the College Technical Education Council and the implementation of the workforce training regions, including how the workforce training regions are functioning. This study is being conducted by the interim Higher Education Committee.
- Section 18 of Senate Bill No. 2003 which directs a study during the 2001-02 interim of the State Board of Higher Education's implementation of the performance and

accountability measures report required by Senate Bill No. 2041, including information on education excellence, economic development, student access, student affordability, and financial operations. This study is being conducted by the interim Higher Education Committee.

Committee counsel said that as part of the 1999-2000 interim Commerce and Labor Committee study, the committee worked with the National Conference of State Legislatures in compiling a state inventory of job training programs that have a workforce development component. A copy of *Serving the North Dakota Workforce, An Inventory of Programs and Policies* is available in the Legislative Council library.

Committee counsel reviewed workforce training and development programs offered through the Department of Commerce Division of Workforce Development, Department of Human Services, Job Service North Dakota, State Board for Vocational and Technical Education, and the North Dakota University System.

### Study Approach

Committee counsel said a possible approach to the committee's study is to receive testimony from representatives of the Department of Commerce, Workforce Development Council, Department of Human Services, Job Service North Dakota, State Board for Vocational and Technical Education, and North Dakota University System regarding:

- Efforts to recruit and retain North Dakota's workforce.
- Underemployment and skills shortages.
- Workforce training and development programs, including program objectives and services, the number of businesses and individuals served, and future workforce training and development plans based on the New Economy Initiative goals and strategies.
- Feasibility and desirability of consolidating funding and administration of programs in a single agency.

Committee counsel said the committee may consider receiving testimony from local economic development organizations, businesses, the Greater North Dakota Association, and other interested entities regarding workforce training and development programs and the needs of business.

### Interested Persons

Chairman Andrist called on Ms. Maren Daley, Executive Director, Job Service North Dakota, for comments regarding the committee's study. Ms. Daley said the Legislative Assembly's creation of

the Department of Commerce is a good start in addressing workforce development and workforce training. She said there is good communication between Job Service North Dakota and the Department of Commerce. In evaluating the workforce development training programs, she said, the committee may want to consider focusing on the programs through the perspective of the employer and through the perspective of the employee.

Chairman Andrist called on Mr. Wayne Kutzer, Director, State Board for Vocational and Technical Education, for comments regarding the study. Mr. Kutzer said he would be available as a resource for the committee during the study.

In response to a question from Senator Grindberg, Mr. Kutzer said one strength of the current four-quadrant system is that the system includes the involvement of several agencies and promotes communication between these agencies. He said each agency involved in the four-quadrant system offers special expertise.

### Committee Discussion and Directives

Senator Grindberg expressed concern that the studies assigned to the Legislative Council's interim Higher Education Committee overlap with the studies assigned to the Commerce Committee.

Senator Krebsbach said the Higher Education Committee's study of the responsibilities and the functions of the College Technical Education Council and the implementation of the workforce training regions, including how the regions are functioning, may be more fiscal in nature, and the Commerce Committee's study may be more substantive in nature.

**It was moved by Senator Grindberg, seconded by Senator Espegard, and carried on a roll call vote that the committee adopt the study approaches outlined in the four background memorandums.** Senators Andrist, Espegard, Grindberg, Krebsbach, Mathern, Nelson, and Wardner and Representatives Berg, Galvin, Kelsh, Pietsch, Severson, and Winrich voted "aye." No negative votes were cast.

**It was moved by Representative Berg, seconded by Representative Kelsh, and carried on a voice vote that the meeting be adjourned.** Chairman Andrist adjourned the meeting at 4:45 p.m.

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Jennifer S. N. Clark  
Counsel

ATTACH:1