President Mike Gronstal called the meeting to order. The following officers and members were present:

**Officers**
- Senator Michael Gronstal, Senate Majority Leader, Iowa
- Senator Deb Peters, Senate Assistant Majority Leader, National Policy, South Dakota
- Senator Curt Bramble, Senate President Pro Tem, Utah
- Raul Burciaga, Director, Legislative Council Service, New Mexico
- Chuck Truesdell, Legislative Fiscal Analyst, Kentucky
- Karl Aro, Director of Administration, Department of Legislative Services, Maryland

**Executive Committee Members**

<table>
<thead>
<tr>
<th>Utah</th>
<th>Delegate Sally Jameson, Maryland</th>
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<tr>
<td>Wyoming</td>
<td>Representative Jay Kaufman, Massachusetts</td>
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<tr>
<td>Vermont</td>
<td>Representative Brian Kennedy, Rhode Island</td>
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<tr>
<td>Montana</td>
<td>Wayne Kidd, Utah</td>
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<tr>
<td>Oklahoma</td>
<td>Representative Greg Leding, Arkansas</td>
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<tr>
<td>Oregon</td>
<td>Senator Anna MacKinnon, Alaska</td>
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<tr>
<td>Georgia</td>
<td>Senator Karen McConnaughay, Illinois</td>
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<td>Texas</td>
<td>Senator Ryan McDougle, Virginia</td>
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<tr>
<td>South Carolina</td>
<td>Representative Joyce Peppin, Minnesota</td>
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<tr>
<td>South Carolina</td>
<td>Joel Redding, Kentucky</td>
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<tr>
<td>Idaho</td>
<td>Representative Scott Saiki, Hawaii</td>
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<tr>
<td>Montana</td>
<td>Representative Julie Stokes, Louisiana</td>
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<tr>
<td>Tennessee</td>
<td>Martha Wigton, Georgia</td>
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<tr>
<td>Wisconsin</td>
<td>Representative Jennifer Williamson, Oregon</td>
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A quorum was present with 35 members in attendance. Several guests and NCSL staff also were present.

**APPROVAL OF MINUTES**
NCSL President Mike Gronstal referred members to the minutes from the NCSL Executive Committee meeting in Chicago in August 2016. The minutes were approved unanimously.
EXECUTIVE DIRECTOR’S REPORT
NCSL Executive Director Bill Pound reported that NCSL ended the fiscal year with a surplus. Pound mentioned that the audit, which was reviewed by both the Audit Committee and the Budget and Finance Committee, would require the final approval of the full body. Pound reported that the 2016 Chicago Legislative Summit attendance figures were just over 5,000.

Pound stated that progress on the Main Street Fairness Act remains at a standstill in Congress, but that states are pushing forward on the issue. Pound told the committee that currently, the state groups have agreed on a litigation strategy for bringing a favorable case to the Supreme Court. Last March, Justice Anthony Kennedy said, in an opinion in another case, that it is time for the court to review Quill vs. North Dakota. In doing so, Kennedy urged the states to bring a case that would raise anew the questions posed by Quill vs. North Dakota to determine if the court would change its position. The present effort in the states is an attempt to challenge Quill vs. North Dakota.

There is a case coming up before the Supreme Court which is a petition to review a case from Colorado, Brohl vs. Direct Marketing Association. NCSL is filing an amicus brief in that case suggesting that the court not take the case, but requesting that if the Court does take the case, the justices address the issue of Quill vs. North Dakota in their opinion. Colorado required direct sellers to give the names of purchasers in Colorado to the State Revenue Department so that the Department can follow up with them to collect taxes due. This statute was upheld in the 10th Circuit Court of Appeals and is now being appealed by the direct marketers.

Pound stated that Senator Deb Peters has been instrumental in leading the effort on Marketplace Fairness. South Dakota was the first state to pass a law that more directly presses the issue, and it is beginning to wind its way through the lower courts right now.

Pound referred the committee members to page 16 of the Omaha agenda book, advising them that the Executive Committee oversees eight task forces. Pound explained that the task forces each focus on a single topic, and that the membership of the task forces are not necessarily comprised of Executive Committee members, although Executive Committee members may be on them. Pound advised the committee that reauthorization of the existing task forces requires the annual approval of the Executive Committee. A motion was made to reauthorize the existing NCSL Executive Committee task forces and the motion carried.

Pound announced the next two meetings of the Executive Committee: the winter meeting will be in Scottsdale, Ariz. on Jan. 14-15. Pound asked the committee to note that the winter meeting would be held over a Saturday/Sunday rather than the traditional Friday/Saturday meeting pattern. Pound also noted that the winter meeting will take place the weekend prior to the Martin Luther King holiday on Monday, Jan. 16 and that most state legislatures do not meet on that day. The full Executive Committee meeting will be held on Sunday in Scottsdale. Pound announced that the spring meeting of the committee will be held in Santa Fe during mid-May and that details would be forthcoming.
Pound told the committee that NCSL staff would spend the evening of election night tracking the state election results, with a particular focus on state legislatures and ballot measures. Pound urged Executive Committee members to contact NCSL staff with any relevant information they may have on election night to assist NCSL’s efforts.

REPORT OF THE MEMBER OUTREACH AND COMMUNICATIONS SUBCOMMITTEE
Senator Mike Gronstal thanked the Chicago host committee for the very successful Legislative Summit. Senator Karen McConnaughay said this was the fourth time Chicago had hosted the NCSL meeting. The host committee surpassed the fundraising goal. She thanked the volunteers, NCSL staff and Senator Pam Althoff for all their hard work. Representative Jay Kaufman reported on the upcoming meeting to be held in Boston, August 6-10. The NCSL Executive Committee meeting will be held on August 5, the day before the opening plenary. The Boston host committee is looking at a number of activities including tours for families of college students and a possible event at Fenway Park.

A presentation was held on outreach activities. NCSL will reach out to all newly elected members following the elections. It is important that executive committee members assist in getting newly elected legislators active in NCSL. Representative Kaufman discussed the lunch he hosts for newly elected members and the success of this event in introducing legislators to the organization. He encouraged members of the executive committee to reach out to NCSL staff to get help in ways to reach out to new members in the states.

REPORT OF THE BUDGET, FINANCE AND RULES COMMITTEE
Senator Deb Peters, NCSL President-elect and chair of the committee, told members the committee had a robust meeting. Members reviewed the NCSL financial reports, financial rules, and investments. Representatives from NCSL’s audit firm, EKS&H, presented details on NCSL’s financial audit. A motion was made to accept NCSL’s financial audit. The motion was unanimously approved. The Executive Committee unanimously approved the following grant and contract proposals: Strengthening Rural Education: State Legislative Action (Morgridge Family Foundation - $450,000), Addressing Cybersecurity Policy Issues (Hewlett Foundation - $265,379), Engaging Tribal Nations in Department of Energy Activities Related to the management and Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste (U.S. Department of Energy - $200,000), U.S.-Brazil Exchange of State Legislators (U.S. Embassy of Brazil - $198,706), U.S.-UK Exchange of Legislators (U.S. Embassy London - $189,291), State and Local Innovation and Analysis in Support of Long-Term Energy Planning and Policy (U.S. Department of Energy Office of Energy Policy and Systems Analysis - $13.7,500), Building Legislative Leadership on Birth to Three Policy (JB and MK Pritzker Family Foundation - $100,000), and Drinking Water Infrastructure Challenges and Vulnerable Communities: Children Impacted by Lead Hazards (WKKF - $100,000), Two Generation Strategies to Reduce Poverty (WK Kellogg Foundation - $725,000), NCSL International Education Study Group Phase 2 (Rodel Foundation - $277,750), Implementation of International Education Lessons:

**STATE FEDERAL ACTIVITY REPORT**

Sally Jameson, Co-Chair of the NCSL Standing Committees recognized the work done by the standing committees at the Legislative Summit. Over 50 policy directives and resolutions were adopted that guide NCSL’s advocacy before Congress, the administration and the courts on behalf of state legislatures. While a majority of the directives and resolutions were renewals of long standing positions a number of new issues were addressed.

One of the resolutions adopted during the 2016 Legislative Summit calls for the continuation of the EB-5 Regional Center Program. Since the Summit, there have been meetings on Capitol Hill to discuss NCSL’s position. A letter also was sent to congressional leadership. The program was temporarily extended to December 9, as part of the continuing resolution, with a decision on a further extension occurring after the election.

NCSL continues to be involved in advocating for passage of the Water Resources Development Act. Delegate Jameson pointed out there are a number of NCSL-supported items that are expected in the final agreement. With new language added to an NCSL policy at the Summit, NCSL is supportive of new funds to states and communities that have been impacted by lead contaminated water.
NCSL renewed its support for passage of the Remote Transaction Parity Act and will keep the pressure on until the 114th Congress adjourns. NCSL has been told by many members of Congress that state activity such as in South Dakota, Colorado, Alabama, Louisiana, Vermont, Minnesota, Tennessee and others has put pressure on Congress to solve the problem before any of them make it to the U.S. Supreme Court. If Congress fails to act this year, it will be left to the states and the federal courts to solve the issue.

REPORT OF THE STANDING COMMITTEES
Randy Dowell, Staff Co-Chair of the NCSL standing committees, referred Executive Committee members to a four-year comparison of standing committee attendance. He noted legislator and legislative staff attendance, while being very good for most committees, was down slightly in Chicago from the 2015 attendance in Seattle. Senator Michael Gronstal, NCSL President, Senator Deb Peters, NCSL President-elect, and Raul Burciaga, Staff Chair, met prior to the Legislative Summit to select new standing committee officers for 2016-2018. NCSL staff are in the process of clearing these officers’ appointments through leadership and then NCSL committee staff are contacting the new appointees to see if they will serve.

Planning for the 2016 NCSL Capitol Forum has begun. The theme for the meeting is “Big Election – Big Impact.” The meeting will begin on Tuesday, December 6 with a number of Pre-Con and Task Force meetings. The New Standing Committee Officer Orientation will begin with breakfast on Wednesday, December 7 and end at 11:00 am. All legislators and legislative staff standing committee officers are urged to attend. Senator Deb Peters and Delegate Sally Jameson will conduct a mock standing committee business meeting.

Mr. Dowell added that on Wednesday, December 7, NCSL will hold the annual Lobby Day for legislators, two days prior to the expiration of the Continuing Resolution that has kept the federal government opened since September 30. Special programming will be held for legislative staff on Wednesday afternoon. Standing committee officers will discuss top state-federal priorities and major state issues for the coming year on Friday, December 9.

These recommendations will go to the members of the Executive Committee in the meeting in Phoenix in January. There, members will meet to discuss and vote on the top state-federal priorities and the major state issues for the coming year. The co-chairs of NCSL’s standing committees will be invited to join Executive Committee members at the meeting.

LEGISLATIVE STAFF COORDINATING COMMITTEE
Raul Burciaga, NCSL Staff Chair, reported that members of the Legislative Staff Coordinating Committee are looking at a number of projects. These include expanding the use of the NCSL app to staff section meetings, improving the quality of web programs and e-learning, producing a video and magazine article on the legislative staff achievement awards, expanding outreach to legislative staff, looking at a super professional development program, and instituting a certificate program for staff. There is discussion taking place on a survey of legislative staff services and potential focus groups for partisan and non-partisan staff. A conference call to discuss subcommittee work with chairs and vice chairs will be held in the near future.
Mr. Burciaga made a motion that Paul Nardo, Chief Clerk of the Virginia House of Delegates, be appointed to fill one of the legislative staff vacancies on the NCSL Executive Committee. The motion was unanimously approved. In addition, Mr. Burciaga told members that Karl Aro, Immediate Past Staff Chair, would be retiring from the Maryland General Assembly in December. He thanked Karl for his many years to service and made a motion that Nancy Cyr, Director of the Nebraska Legislative Research Office, serve out the remainder of Karl’s term as NCSL Immediate Past Staff Chair. The motion was unanimously approved.

**FOUNDATION FOR STATE LEGISLATURES**
Senator Curt Bramble, President of NCSL’s Foundation for State Legislatures, explained that the Foundation is a 501-c-3 organization that works with the private sector, unions and associations. The Foundation provides financial grants to fund projects at NCSL. Senator Bramble recognized the members of the Foundation and thanked them for their support. He said the Foundation would be raising the bar this year to the next level and would spend time working with Foundation members on why supporting NCSL is good for their organization and for the states. Senator Bramble talked about the StateVote meeting that will be held in Washington, D.C. on November 14 and the activities that will be held during the December forum meeting. He also mentioned the upcoming leaders meeting in the Virgin Islands in December.

With no further business before the committee, NCSL President Gronstal ended the meeting and wished those members with elections great success at the polls.