

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2450

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2450

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2450

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date February 8, 2001

Tape Number	Side A	Side B	Meter #
2	X		33.6-End
2		X	0.0-14.8
3	X		32.5-44.6
Committee Clerk Signature <i>Janet A. Kirk</i>			

Minutes: **Chairman Krebsbach** opened the hearing on SB 2450 which relates to reconvened regular sessions of the legislative assembly in even numbered years for budget adjustment purposes. **Senator Dennis Bercier**, District 9, prime sponsor of the bill appeared before the committee. A copy of his written testimony is attached. Questions were offered by Senator T. Mathern and Senator Dever. **Senator T. Mathern**, District 11, indicated that he supports SB 2450. He believes there is a need for this change and he believes this legislature is doing things that are moving them towards this change. We have gotten into a rut in terms of a negative history to the bill and it is difficult for us to overcome that rut. He takes for example the issue of the appropriations committee meeting this year a week before the legislative session. He thinks that this is an indication of the difficulty of our present system to accommodate what the present needs are. He supports the system of coming in for the week because he thinks this is an attempt to address the situation which Senator Bercier talked about in terms of being out of sync in terms of our decision making in our budget. We just need more time and that is what that time

indicated. The problem with the appropriations committee meeting a week before is we don't have everybody's voice in the body that is having input. He thinks that input is not just persons in the committee. He noted that he met with some of the people in his caucus after their meeting this morning and he gave some input about what we were doing in our committee. He suspects that in the other caucus you talk about activities on occasion that go on in committee. Eventually this shared information becomes part of the public policy decision that we make. If we have a committee here alone, he doesn't think that sharing goes on and he doesn't think that is in our general interest as a state. 2450 he believes provides that opportunity where we look at all those issues with everybody having some input. He thinks that is all this bill is. It is not changing the number of days. It just saying let's do it once every year. Let's make sure everybody is involved in the process. **Senator Dever** inquired about the past history of resistance to this bill. **Senator T. Mathern** responded with his comments. **Representative Andrew Maragos**, District 3, also a sponsor of the bill appeared before the committee. He indicated that he has always felt it was a good idea to have that flexibility as a manager. He always believed that the closer you get the decision making process to the time the decisions are made the smarter and more efficient and better manager you will be. He indicated that he speaks collectively as a legislative body. All the reasons are the same. It is only a matter of when we get this legislative body to agree, if ever. I wonder that if to allay the fears of those who think we would be making this into a professional career by meeting annually, we might put a sunset on it. Try it for 3 sessions and see if it is even needed. If the leadership believes it is needed we can take whatever days are left from the previous session, go back, make sure that everything is organized, so we can legitimately believe we can get the work done that needs to be done on that basis and go from there. He has always thought this was a good idea. He just wonders if this is a good idea whose time has come.

**Chairman Krebsbach** inquired if the representative believed that this would make it easier to attract people to run for legislative offices or more difficult. **Representative Maragos** indicated he didn't think it would make it easier or more difficult. We have interim meetings all of the time. It might create a little bit of a scheduling hardship but he believes that people would know that going in. Discussion continued with questions and comments from Senators T. Mathern, C. Nelson, Dever, and Krebsbach. Responses were offered by Representative Maragos. (Tape 2, Side B, Meter #'s 4.4-14.6) There was nothing further on SB 2450. **Chairman Krebsbach** closed the hearing SB 2450. A motion for a Do Pass on SB 2450 was made by **Senator C. Nelson**, seconded by **Senator T. Mathern**. **Senator Dever** asked for the history of why this bill has been around for so long and why it has not passed. **Senator T. Mathern** related some of the history of why this bill has not succeeded in the past. **Chairman Krebsbach** indicated that the public has seen this as being taking over more on a full time basis of government and there are an awful lot of people, lobbyists, and agencies that are happy we are here only once every two years. We give them their money, their funding and, their authority and we're out of their hair for two years except for the interim. We keep pretty close watch on a lot of things during the interim. **Senators C. Nelson, Wardner, Dever, Kilzer and T. Mathern** offered comments. Roll Call Vote indicated 2 Yeas, 4 Nays, and 0 Absent or Not Voting. The motion fails to prevail. A motion for a Do Not Pass was made by **Senator Wardner**, seconded by **Senator Dever**. Roll Call Vote indicated 4 Yeas, 2 Nays, 0 Absent or Not Voting. **Senator Kilzer** will carry the bill.

## FISCAL NOTE

Requested by Legislative Council  
01/30/2001

Bill/Resolution No.: SB 2450

Amendment to:

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>			\$592,460		\$592,460	
<b>Appropriations</b>			\$592,460		\$592,460	

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Senate Bill No. 2450 requires the Legislative Assembly to reconvene each even-numbered year for budget adjustment purposes.

- 3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*
- A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*
  - B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The amounts shown are the estimated costs for the Legislative Assembly to meet for 10 legislative days in 2002 and 10 legislative days in 2004. The estimated costs would increase or decrease by approximately \$59,000 for each day more or less that the session would last. The estimates include the effect of the \$14 per day legislative pay increase included in Senate Bill No. 2175.

- C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The amounts shown are the estimated costs for the Legislative Assembly to meet for 10 legislative days in 2002 and 10 legislative days in 2004. The estimated costs would increase or decrease by approximately \$59,000 for each day more or less that the session would last. The estimates include the effect of the \$14 per day legislative pay increase included in Senate Bill No. 2175.

<b>Name:</b>	Jim W. Smith	<b>Agency:</b>	Legislative Council
<b>Phone Number:</b>	328-2916	<b>Date Prepared:</b>	02/01/2001

Date: 2/08/01  
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2450

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

- Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen. C. Nelson Seconded By Sen. T. Mathern

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.		✓	Senator Carolyn Nelson	✓	
Senator Dick Dever, Vice-Chr.		✓	Senator Tim Mathern	✓	
Senator Ralph Kilzer		✓			
Senator Rich Wardner		✓			

Total (Yes) 4 No 2

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:



**REPORT OF STANDING COMMITTEE (410)**  
February 8, 2001 5:29 p.m.

Module No: SR-23-2812  
Carrier: Kilzer  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2450: Government and Veterans Affairs Committee (Sen. Kræbsbach, Chairman)**  
recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).  
SB 2450 was placed on the Eleventh order on the calendar.

2001 TESTIMONY

SB 2450

Testimony on SB 2450  
Senator Dennis Bereier  
Thursday, February 8, 2001  
Before the Government and Veterans Affairs Committee

Reasons for an annual session:

Agencies are asked to submit their budgets for the next biennium a year in advance of the period they are budgeting for and those budgets span a two year period.

The Legislature is asked to determine policies and set spending limits. Then we are constitutionally required to leave and let the executive branch implement those policies within the financial resources we have provided them. Increasingly it is difficult to budget accurately. Increasingly the Emergency Commission and the Budget Section must handle requests for funding authority increases between sessions. These requests range from a request to use a few thousand dollars of excess moneys in a special fund for an unforeseen expense, to requests for sums of millions of dollars to address federal requirements or to use for emergencies like the flooding in Grand Forks, Fargo, and Devils Lake.

Since the Legislature adjourned last session the Emergency Commission has handled more than 60 requests from agencies for funding changes. In the first meeting after the session on June 7, 1999, the Emergency Commission handled over \$9 million dollars in requests for increased spending authority or spending authority shifts. Many of these requests were then handled by the Budget Section. None of the millions of dollars of additional expenditure were given consideration by the Legislature. Each came up one-by-one and none were reviewed as to how they fit into the whole state budget. This piecemeal effort of budgeting does not give us a complete vision for the state.

We repeatedly expect the executive branch of our government to act like a business. Yet we have failed to require the same standard of our own operations.

The Legislature cannot possibly do the job it should be doing meeting only every other year. This bill will allow for annual sessions so we can address budget shortfalls, and even address surpluses which will give us an opportunity to send excess revenue back to the taxpayers. This bill will allow us to react to sudden technological changes and needs. It will allow us to react to the increased interest in wind energy, the farm crisis, and to act quickly to develop a comprehensive, broadband system so that none of our citizens are left on the wrong side of the digital divide.

The time has come for us to break with tradition. The time has come for this legislature to move more quickly or we will not keep up with the rest of the world.