

**2013 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1337**

# 2013 HOUSE STANDING COMMITTEE MINUTES

## House Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1337  
January 31, 2013  
18120

Conference Committee

Committee Clerk Signature

*Carmen Hart*

### Explanation or reason for introduction of bill/resolution:

Relating to housing reimbursement for members of the legislative assembly.

### Minutes:

You may make reference to "attached testimony."

Chairman Jim Kasper opened the hearing on HB 1337.

**Rep. Marie Strinden** appeared in support of this bill. She presented **Attachment 1** as testimony. (End 4:20)

**Rep. Ben Koppelman** I am staying in someone's home and have to pay the rent in advance. Legislative Council indicated what they don't want to do is start issuing payments a lot of times a month. My concern is that if you have a pre voucher that there is no proof of expense. Which way does your bill intend to work?

**Rep. Marie Strinden** It is possible we could create an amendment where if you wanted a preimbursement, it would have to be due at the beginning of the month so they are doing it all on one day.

**Rep. Ben Koppelman** What was your intent? Was it your intent to have it ready for the first of the month so they could still stay on the same schedule they are or whenever you turn it in, you can get paid?

**Rep. Marie Strinden** Their schedule would be changed a little bit. Two things you could do would be get the preimbursement form request or continue to do it as now which would be the reimbursement system. To make it easier on legislators who don't have money up front, the preimbursement system would be the preferable way which would be my hotel gives a printout of what I would pay that month. I would bring it in, get the preimbursement, and when I pay it, then I can bring proof of payment to legislative council.

**Rep. Gail Mooney** As far as processes are concerned, would it be two times a month, the pre at one time in the month and reimbursement at the end of the month?

**Rep. Marie Strinden** Yes, there will be a deadline for preimbursements, maybe at the first of the month and a deadline for reimbursements the end of the month. I would assume that the paperwork wouldn't be too much more for Lori from Legislative Council.

**Rep. Gary Paur** Are you aware of any other state agency that preimburses?

**Rep. Marie Strinden** I am not. Some legislators might need more start up help to serve their jobs than state employees would.

**Chairman Jim Kasper** Your bill cites Section 26 of Article 11 of the constitution of North Dakota. Tell us what that is

**Rep. Marie Strinden** It says that we can't be paid any more than a state employee. It doesn't mention preimbursements or reimbursements though.

**Chairman Jim Kasper** As long as we abide by that section of the constitution, we will be okay? **Rep. Marie Strinden** agreed. When you had Legislative Council draft the bill, did you ask them about the process that should be put in here about how we are going to do this?

**Rep. Marie Strinden** Mr. Walstad's feeling is that the statue should not outline the guidelines. I know that it is doable to create those policies.

**Rep. Jessica Haak** appeared in support and presented **Attachment 2** testimony. (End 12:28)

**Rep. Gail Mooney** For individuals who might be staying in accommodations that do not accept credit cards or in a case where a legislator might not have credit card availability for payment system, does this help to accommodate that as well?

**Rep. Haak** Yes.

There was no opposition.

The hearing was closed.

**Rep. Vernon Laning** made a motion for a Do Pass.

**Rep. Jason Dockter** seconded the motion.

**Rep. Ben Koppelman** We should have asked Rudie if this is going to make it more affordable and if more of the freshmen could pay their bill on time if this happens.

A roll call vote resulted in **DO PASS, 12-1, 1 ABSENT**. **Rep. Steven Zaiser** is the carrier.

Date: 1-31-13  
 Roll Call Vote #: \_\_\_\_\_

**2013 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1337**

House Government and Veterans Affairs Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Laning Seconded By Dockter

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman		
Vice Chairman Randy Boehning	X		Rep. Gail Mooney	X	
Rep. Jason Dockter	X		Rep. Marie Strinden	X	
Rep. Karen Karls	X		Rep. Steven Zaiser	X	
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Gary Paur		X			
Rep. Karen Rohr	X				
Rep. Vicky Steiner	X				

Total (Yes) 12 No 1

Absent 1

Floor Assignment Zaiser

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

**REPORT OF STANDING COMMITTEE**

**HB 1337: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING).  
HB 1337 was placed on the Eleventh order on the calendar.

**2013 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1337**

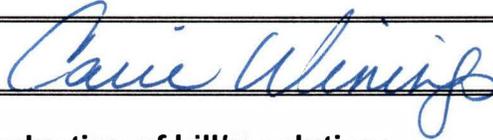
# 2013 SENATE STANDING COMMITTEE MINUTES

## Senate Government and Veterans Affairs Committee Missouri River Room, State Capitol

HB 1337  
03/14/2013  
Job Number 19907

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subsection 4 of section 54-03-20 of the North Dakota Century Code, relating to housing reimbursement for members of the legislative assembly.

### Minutes:

**Chairman Dever:** Opened the hearing on HB 1337.

**Representative Marie Strinden, District 18:** See Attachment #1 for testimony as sponsor and in support of the bill.

**(2:28)Chairman Dever:** Are you talking about pre-imburement on a monthly basis or for the entire session?

**Representative Strinden:** It is just lodging and it would be month by month. For April it would have be done after the fact since it we do not know exactly day we will end.

**Chairman Dever:** Are legislators paying up front now?

**Representative Strinden:** We are paying up front and then we are reimbursed at the end of the month. Some hotels or homes will wait but most will not. As we know, most of our younger legislators don't have the money set aside for this.

**Chairman Dever:** Do legislators pay a deposit?

**Representative Strinden:** I do not pay a deposit because I stay in a hotel. I am assuming that people that stay in apartments might.

**Senator Marcellais:** I do not pay a deposit and I do not pay my landlord until I get reimbursed. He is a former legislator.

**Senator Nelson:** I rent and I pay a deposit and pay at beginning of month.

**Senator Cook:** Considering the newness, cannot you request a voucher the minute you spend money and ask for reimbursement today?

**Representative Strinden:** It is not that way for our lodging. It cannot be given up front.

**Chairman Dever:** I believe the answer to that is in the current language of the bill. (reads from bill)

**Senator Cook:** We could change the language. Sometimes you have to travel to an out of state meeting and I would think that you could ask for reimbursement for that after you expend the money. You answered my question; this is specific to hotels.

**Chairman Dever:** Is the reference to the constitution because the provision in the constitution prevents gifts?

**Representative Strinden:** We looked into that on the House side and according to our administrative council it is not unconstitutional and Representative Kasper wanted to make sure that before we let it out of committee that it would not break constitutional rules. We do not believe it breaks constitutional rules. It is the provision on how legislators can be paid and not about gifts. It does not address housing reimbursement at all.

**Chairman Dever:** (reads from constitution, Section 26, Article 11) It seems unnecessary to have it in the bill, but it doesn't create conflict either.

**(9:10) Representative Strinden:** There are amendments that could make this bill better. We want to make sure that there is not a ton of work during the month for legislative council. The first of the month pre-imburement and reimbursement at the end of the month would be the easiest.

**Chairman Dever:** Do you expect that a Senate amendment would receive a friendly reception if it goes to conference committee from the House.

**Representative Strinden:** I was shocked at how much Representative Kasper liked this bill and the House seemed to like it.

**Chairman Dever:** The vote was 69 to 25, what were the objections?

**Representative Strinden:** Not all of the details were covered on the floor and I think that the person that carried the bill on the floor did not cover all of the details; so there might have been some confusion on the floor. A quick glance at it - it could maybe look bad. I think that some might have been nervous at how it would look to get pre-imbursed.

**Chairman Dever:** Closed the hearing on HB 1337.

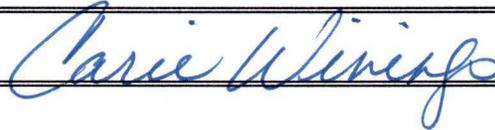
# 2013 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veterans Affairs Committee  
Missouri River Room, State Capitol

HB 1337  
03/29/2013  
Job Number 20690

Conference Committee

Committee Clerk Signature



## Minutes:

**Chairman Dever:** Opened HB 1337 for committee discussion. I do not recall any concern by legislative council on this. It says upon submission of a voucher and appropriate documentation. Do we need any other approach to it?

**Senator Schaible:** The understanding that I have is that right now you have to wait a month to submit your bill but if they have the payment, they can submit after two weeks to get payment. I am not in favor of pre-paying. Every other expense you have, you wait until you have the expense and then you submit the bill. I think every two weeks is enough.

**Chairman Dever:** I am not involved in the process so I am not sure how it works. I understand what you are saying.

**Senator Nelson:** They kind of already do this for travel. You can either make your own travel plans and pay for it and then submit a bill, or they can do it for you up there and pay it directly so you never see your fingerprints on it at all. That is some sort of a pre-payment.

**Chairman Dever:** Is it your understanding that what she is really looking for is to get paid and then go pay the landlord?

**Senator Nelson:** No, because it says you have to have a voucher and proper documentation.

**Chairman Dever:** So really we are not accomplishing anything by the bill.

**Senator Cook:** The difficult word here is "following". Following each month means that you cannot get paid for January until January is gone. To what degree it is a problem I don't know. As the testimony indicated, they are young and they may not have the cash to advance the rent.

**Chairman Dever:** Is it your understanding that you pay January, pay February, and then you get paid for January?

**Senator Nelson:** That is what I did. I pay the first of the month and get a receipt and then I submit that receipt on the last day of the month. Then I write another check on the last day of the month for the next month.

**Chairman Dever:** That is just a matter of procedure. It is the last day of the month that they give you an expense voucher.

**Senator Nelson:** If you take out the word "following" and it says each month, you could submit it any time during that month with the proper voucher and the proper documentation.

**Senator Marcellais:** Basically what they are saying is that they want a credit card from the state.

**Chairman Dever:** I think what Senator Schaible is saying is that they could submit the voucher right away and not wait until the end of the month to submit.

**Senator Nelson:** The current law says "following".

**Chairman Dever:** If you pay it up front, you will have your receipt. The impression I got from Legislative Council is that they can accommodate that.

**Vice Chairman Berry:** I agree.

**Senator Schaible:** I think it is just like everything else that we do, you understand this when you come into this business and granted it may be a little bit of a burden. It is just like

any other business thing you do, you usually have to have the result to get the expense and it is just a part of life.

**Senator Schaible:** Moved a Do Not Pass.

**Vice Chairman Berry:** Seconded.

**A Roll Call Vote Was Taken:** 5 yeas, 2 nays, 0 absent.

**Chairman Dever:** Carrier.

Date: 3/29

Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES

BILL/RESOLUTION NO. 1337

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Senator Schaible Seconded By Senator Berry

Senators	Yes	No	Senator	Yes	No
Chariman Dick Dever	✓		Senator Carolyn Nelson		✓
Vice Chairman Spencer Berry	✓		Senator Richard Marcellais		✓
Senator Dwight Cook	✓				
Senator Donald Schaible	✓				
Senator Nicole Poolman	✓				

Total (Yes) 5 No 2

Absent 0

Floor Assignment Senator Dever

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

**REPORT OF STANDING COMMITTEE**

**HB 1337: Government and Veterans Affairs Committee (Sen. Dever, Chairman)**  
recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1337 was placed on the Fourteenth order on the calendar.

**2013 TESTIMONY**

**HB 1337**

Attachment 1

Mr. Chairman, members of the House Government and Veterans Affairs Committee- I am Representative Marie Strinden from District 18- Grand Forks and the Grand Forks Air Force Base.

House Bill 1337 will enhance the way legislators may receive funding for housing and will encourage younger people and people of mixed socio-economic classes to run for and successfully serve office.

We're all familiar with the current end-of-the-month mileage reimbursement form. Being paid back for housing a month after initial housing costs creates an undue financial burden on lower-income legislators who cannot pay \$1300+ up-front for housing, especially if those legislators are taking pay cuts or not being paid while they are in Bismarck for the session. This includes university teachers and faculty, non-profit organization employees, and many more professions. Many of us do not have large savings accounts, and in some cases, our credit card limits are not high enough to pay for an entire month of lodging before a reimbursement. I have spoken to more than a few legislators who have financed their first month in Bismarck on a credit card and have been strapped for cash for necessary expenses like food and gas.

Hotels prefer to be paid throughout the month for legislators' hotel stays. Luckily, my hotel has been operating on the assumption that I will pay my month's bill when I get my reimbursement in February- but they don't have to. Many legislators enter into rental agreements with private home owners, and a preimbursement of funds would let legislators pay the first month's rent up front- the standard of payment in the rental industry.

HB 1337 does not add to the amount of money legislators would receive for housing, and it does not require Legislative Council to issue reimbursements. Lori Ziegler filled me in on the nuts and bolts of how this bill will work. With the change in HB 1337, should a legislator want to be paid for their lodging earlier in the month they would need to request a voucher. With this voucher, they would attach an official rental agreement or print-out from their hotel giving their daily or monthly rate of housing. Legislative Council can set policies for this preimbursement and would be within their rights to request end-of-the-month proof that the hotel bill had been paid.

If no request is made earlier in the month the legislator can use the voucher that is delivered to the chamber floor at the end of the month for requesting mileage and lodging reimbursement, just like we all do now.

For the last month of session, payment would have to be held until the number of calendar days a legislator will be here is for certain. The example would be if session would end on April 15<sup>th</sup>, a legislator is eligible for the daily rate of \$69.30 plus applicable taxes or \$1,133.10 not the full \$1,351.

Legislators may continue to use the reimbursement system the way it is set-up now, or they may request preimbursement for the months of January through March.

Thank you for your consideration, and I am open to any questions.

Attachment 2

Thank you Chairman Kasper and House Government and Veteran Affairs committee.

For the record, I am Rep. Jessica Haak from District 12 in Jamestown.

I support HB 1337 and urge the committee a do pass recommendation.

I support this bill because it will not cost the state more money. This bill will simply allow legislators to be reimbursed for housing upon submission of a voucher and appropriate documentation. There would be little to no burden to administering this slight change.

Paying over \$1300 or an agreed upon amount can place an undue burden for lower income legislators. This bill would help newly elected legislators, as well.

Your support would be greatly appreciated, and I would urge a do pass.

I will stand for any questions.

Rep. Jessica Haak - District 12 - Jamestown

HB 1337

Mr. Chairman, members of the Senate Government and Veterans Affairs Committee- I am Representative Marie Strinden from District 18- Grand Forks and the Grand Forks Air Force Base.

House Bill 1337 will enhance the way legislators may receive funding for housing and will encourage younger people and people of mixed socio-economic classes to run for and successfully serve office.

We're all familiar with the current end-of-the-month mileage reimbursement form. Being paid back for housing a month after initial housing costs creates an undue financial burden on lower-income legislators who cannot pay \$1300+ up-front for housing, especially if those legislators are taking pay cuts or not being paid while they are in Bismarck for the session. This includes university teachers and faculty, non-profit organization employees, and many more professions. Many do not have large savings accounts, and in some cases, credit card limits are not high enough to pay for an entire month of lodging before a reimbursement. I have spoken to more than a few legislators who have financed their first month in Bismarck on a credit card and have been strapped for cash for necessary expenses like food and gas.

Hotels prefer to be paid throughout the month for legislators' hotel stays. Luckily, in January, my hotel operated on the assumption that I would pay my month's bill when I got my reimbursement in February- but they didn't have to. Many legislators enter into rental agreements with private home owners, and a preimbursement of funds would let legislators pay the first month's rent up front- the standard of payment in the rental industry.

HB 1337 does not add to the amount of money legislators would receive for housing. Lori Ziegler filled me in on the nuts and bolts of how this bill will work. With the change in HB 1337, should a legislator want to be paid for their lodging earlier in the month they would need to request a voucher. With this voucher, they would attach an official rental agreement or print-out from their hotel giving their daily or monthly rate of housing. Legislative Council can set policies for this preimbursement system and would be within their rights to request end-of-the-month proof that the hotel bill had been paid. They could also set a deadline for preimbursement requests so they can consolidate paperwork. HB 1337 would not add to work load, just shift when the work is done.

If no request is made earlier in the month the legislator can use the voucher that is delivered to the chamber floor at the end of the month for requesting mileage and lodging reimbursement, just like we all do now.

For the last month of session, payment would have to be held until the number of calendar days a legislator will be here is for certain. The example would be if session would end on April 15<sup>th</sup>, a legislator is eligible for lodging through that day.

Legislators may continue to use the reimbursement system the way it is set-up now, or they may request preimbursement for the months of January through March.

Thank you for your consideration, and I am open to any questions.