

2013 SENATE APPROPRIATIONS

SB 2001

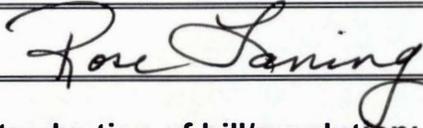
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2001
January 25, 2013
Job # 17729

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government.

Minutes:

Legislative Council - Sheila M. Sandness
OMB - Tammy Dolan -

Testimony attached #1

Chairman Holmberg opened the hearing on SB 2001. Roll call was taken. All committee members were present.

Representative Al Carlson, District 41, Chairman of Legislative Management, House Majority Leader

Testified in favor of SB 2001

The budget before you is our budget. It's basically broken down into two parts. It's the legislative assembly and then it's broken down into the legislative management and legislative council. The legislative assembly one basically deals with the operations of us when we have sessions. The legislative management deals with the operations of upstairs and what happens for all of our interim committees. From my observation from having been chairman a few times, is that we've made a great number of changes in the last two or three biennium that have been very positive. You happen to be sitting at one of those changes in improvements; the way your desks are laid out, the way technology and the wiring is put forward, the screens that are set up for the ease of people to testify.

We have tried to bring technology, not only into the appropriations rooms, but into all the other committee rooms that we have. We've appropriated money each of the times for that. In my opinion, we've made it a better work situation for the legislature as well as a better situation for those who come to testify and want to take part in the process.

This budget deals with the salaries we have. If you remember one or two biennium ago, where we tied our raises to what the public employees get because there was always a debate. Then we had a legislative compensation committee, which I believe is no longer in existence. The raises you see in this bill will be the same percentages of raises that are applied to the state public employees. If that changes over the course of the session, those will change in here as well. There is about an 11.4% increase in the legislative assembly

budget. Six percent of that has to do strictly with salaries and the other 5.4% is operational. Mr. Smith and his staff will give you that part of the budget. As you know, we've dealt with Legend, which is our new system that we use, not only for the staff, but for ourselves. That was one of those processes that really improved the way we do business. They're going to talk about some operational things that go along with that.

I think that there still should be, on the capital assets line, to continue doing some improvements. We've got some real needs about our sound systems in both chambers. When you got a new one a few years back, you gave the House your old one; however those need to be dealt with. The new voting boards that we have in our chambers, all of those are things that we have plugged into this budget over the biennium for the improvement of those chambers.

We have the dues for the NCSL (National Conference of State Legislators) in our budget. They have gone up this time. Tomorrow I'm flying down for a one day meeting in Santa Barbara. They're going to put me on a special committee because I complained about the dues. The secret is don't say anything or they will put you on a committee. There are a number of states that are not paying that are supposedly having budget deficits. Some haven't paid for three or four years and they have full voting rights. I had a problem with that and stated my opinion and lo and behold, you're on a committee, so we'll see what happens with that. I'm not saying our dues are wrong. I'm just saying the organization needs to look at who pays because right now, it's going to be about \$233,000 a biennium for NCSL dues.

He continued describing the Legislative Management and Legislative Council section in Testimony 1.

The Legislative Council staff is doing their very best to keep up with the needs that we have as a legislature. I think we're fortunate to have such qualified group of people working for us. I just wanted to give a high level overview of how I see it - working with them on a daily basis. This is our budget. This is for the operation of the policy making branch of government.

(8:11) **Senator Warner** commented them on the adoption of technology and said most of it is working very well. He'd like to have a conversation with the agencies about using it more. There are still agencies that are bringing in 3/4 an inch of single page power points. If they could download the day before or morning of, the legislators can view it on their computers.

Al Carlson: As you look at the budgets, and the IT budget, I think you'll find that there is still this continued effort of agencies to hire more IT people. If we have an IT division that has a lot of qualified people. On the House side, we're trying to make better use of what we have and get them up to the modern age. They need to come in and embrace our system make it easier for us to move that information.

(9:40) **Senator Richard Wardner, District 37, Dickinson, Senate Majority Leader**
Testified in favor of SB 2001

I would like to reaffirm everything that Rep. Carlson said. We were briefed yesterday on this budget. I think it's a good budget and I would hope all of you can support it. Sometimes we don't give ourselves enough credit and I'm talking about the whole legislature. In the Senate, each and every one of you works very hard. The compensation that you get really doesn't match the efforts that you're putting in. They say we're a citizen legislature and we are, but the demands from the citizens of the state have gone up. Remember that as you look at this. You probably deserve more, but this is a good faith and a good step in the right direction.

Jim Smith, Director, Legislative Council
Testified in favor of SB 2001
Testimony attached # 1

He introduced **Sheila Peterson, Jason Steckler**, Director of Administrative Services and **Allen Knudson**, Legislative Budget Analyst and auditor.

(18:01) **Chairman Holmberg**: Will the camera be run by someone here or if it just a broad angle?

Jim Smith: There would be a little pad that would be available at the front desk and there would be some pre-set views. Right now it's set on the podium and the chairman and it could be present so it would move to those asking questions.

Chairman Holmberg asked about the statistics of the telephone room operations and the number of phone calls coming in.

Jim Smith: I don't have any firm statistics. Lori indicated that they hired a person for a runner - delivering bills. I think she made a comment that during that one week they had only twelve calls. It's almost becoming something that we don't need. The bill and journal room probably has more functionality because the public wants copies of the bills, etc.

(19:56) **Senator Gary Lee**: The housing allowance costs - We heard from the Commerce budget the number of hotel rooms and hotels that are coming online probably driving down occupancy and probably rates as well. I think there are fewer hotels that accept the state rate in town, but I've always paid several hundred dollars less a month when I've rented during the legislative session than what's allowed already, so if you put it at \$1700, you know what the asking price is generally going to be. I'm wondering how that formula works in relation to the market of what we're probably going to see and what people are really paying. Maybe people are paying more, but I never have.

Jim Smith: Two sessions ago, we went to this formula base. We use to set it based on a monetary amount and now OMB determines the rate, the cap for lodging and it's a percentage of the Government Services Administration (GSA) rate that is published for ND. It's currently \$77. In statute, we take that amount and we take it times 90% to get the 6930 that we allow for interim meetings and that kind of thing. For this calculation, for a month

it's based on 30 days. By formula, we take 65% of that - becomes the cap. It's all set in law. All we're doing here is trying to estimate where that GSA rate is going to go.

Senator Carlisle: I know about NCSL dues, but what are CSG dues?

Chairman Holmberg: They're in OMB. NCSL is strictly a legislative function. CSG is governmental.

(25:39) **Senator Gary Lee:** Back to housing - In the bill on page 4, in terms of reimbursement, does that mean people who don't submit lodging and they live outside the community, get the designated amount. Or if you submit a voucher, you can be paid less - if you want.

Jim Smith: Legislators can always claim less. That is just the statutory maximum. It should be actual based up to that maximum.

Senator Gary Lee: So they should be submitting a voucher for whatever they are paying? (Answer: Yes, and they do.)

Senator Carlisle asked about legislators turning in vouchers when they live in apartments or hotels that were less than the compensated amount.

Jim Smith: A voucher has to be an actual receipt.

28:12) **Senator Mathern** said he was told that a check is acceptable for a receipt.

Jim Smith replied that if it is cancelled, then it's ok.

Chairman Holmberg announced the subcommittee: **Senators Carlisle, Holmberg and Mathern.**

Legislative Management -

(32:13) **Chairman Holmberg** named the positions of the fiscal staff in the chart in the testimony.

Senator Carlisle: Are the vacancies salary driven - not the benefit packages, but the CPA market in Bismarck is pretty hot right now.

Jim Smith: My testimony will address that but we do need to be aggressive for staff retention. I don't think it's salary driven. Another thing to consider is the effort it takes during a session, so we want to recognize that also. Salaries are always something that we need to aggressively look at.

(33:59)**Chairman Holmberg** commented that many people who leave the fiscal staff will return as lobbyists. He said he remembered back when they had to make increases in wages to keep staff and commented that we have outstanding staff in technology, legal and fiscal staff.

(39:51) **Chairman Holmberg** asked Allen about assigning consultants to the committee - when you bring someone in, that is approved by the chairman of the management, or is that done at the committee level?

Jim Smith: The legislative management chairman would sign the contract and authorize it. The committee goes through the selection process and makes a recommendation to the chairman.

Chairman Holmberg: What if a committee brought in someone from MNPLS, do we pay their way or is that paid by the Legislature?

Jim Smith: We do that on a selected basis getting it with the chairman's approval. This last interim, we did it several times with the higher education committee.

(42:16) **Senator Carlisle:** A few sessions ago, we cleaned up the Secretary of State's office and put a lot on digital. We authorized doing it. Is there a time frame to keeping that information?

Jim Smith: We do have a records retention policy. Many of those records relating to bills, we're the repository for that information so we want to keep that. We want to keep it in a format that is will be usable down the road. The studies that were done in the 60s, 70s and 80s are in the file cabinets up there. Sometimes there is a report there that is the only copy that exists.

(45:54) **Senator Carlisle:** On HB1365 is there a way we could we put that into this budget. How many districts qualify for mileage reimbursements if your district has 1000 square miles?

Jim Smith: I think there are 18 districts in the state that include more than 1000 sq. miles. The way the bill is written, they would be entitled to one half of the mileage rate for trips within their district. There are some requirements that there would be signed vouchers by the group that invites them to make sure there has been attendance.

Senator Carlisle: It would be something to talk about our subcommittee to see if there'd be a way.

Jim Smith: You could put a cap on it.

Scott Rising, ND Soybean Growers

Testified in favor of SB 2001

I perceive what I do as needing credibility, and guessing at numbers is extremely difficult to do. It's hard to come up with good numbers to share and make sure that information is accurate. I just want to testify to the fact that these folks do wonderful work. They're beyond patient sometimes when folks like me that tax them maybe more than we should. Please fund their budget, they are critical to what I do and they are a great group of people to work with.

Chairman Holmberg said he was approached by a House member who wanted to add an amendment to this budget regarding the way things are reimbursed. I asked if he had talked to anyone in the House, and he hadn't. He closed the hearing on SB 2001.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee

Harvest Room, State Capitol

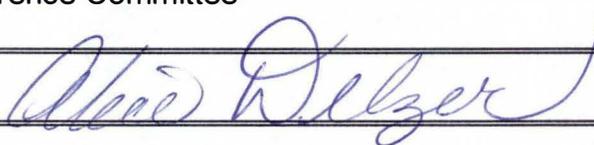
SB 2001 Subcommittee

02-04-13

Job # 18200

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A Subcommittee hearing in regards to the Legislative Branch of government.

Minutes:

See attached testimony

Chairman Carlisle called the subcommittee to order on Monday, February 04, 2013 at 10:30 am in the Harvest Room. Let the record show that all members were present; Senator Carlisle, Senator Holmberg and Senator Mathern. Present were Jim Smith, Director of Legislative Council, Allen H. Knudson, Legislative Council and We will start talking about Legislative Assembly first. Compensation will be worked out once both sides get together. Any concerns or things that we are missing that should be in this budget.

Senator Holmberg We might, close to the middle of the week, have decided on what to do on compensation.

Senator Mathern Have we ever thought of just going to a system of reimbursement for lodging as a flat rate? We don't get involved in issues like having receipts or not, discussion with hotels and motels.

Jim Smith, when we switched over to legislators getting additional pay, the constitutional amendment requires legislators be treated the same as state employees in terms of reimbursement for items, mileage, and lodging. That section of law requires vouchers for reimbursement.

Senator Holmberg The Constitution section was crafted because they had tried many different times to allow legislators to have more than the five or ten dollars a day. They kept creeping up the expenses, and they got to a most interesting problem. The way it was crafted was brilliant from the standpoint of what really was happening.

Chairman Carlisle the committee room renovations, all or some?

Jim Smith one area was the Brynhild Haugland room, probably upgrading the sound system, and other things. Since it is a multi-use room makes it difficult to do permanent things other than the sound system. The other issue is the house and senate chambers

sound systems need to be upgraded. We are looking at sound boards, speakers in the ceiling as well as hand-held mikes. This room is being wired for audio video streaming during the next interim (Harvest room and Roughrider room) as a pilot which will allow those to be streamed and then archived on the website. The money would be used to do the other committee rooms as well.

Chairman Carlisle the funding on IT that will be ongoing at \$485,000, are you comfortable with that number?

Jim Smith That is for ongoing maintenance as well as enhancements to the system. The current biennium just has the Legend project. We don't have specific money at this time for any kind of maintenance or ongoing improvements. That is kind of building our baseline as we go forward. We are making adjustment to LAWS and LEGEND as we proceed through the session, compiling a list of suggested improvements and we will work on that during the next interim. Just the things that probably affect process. One of the things we would like to do is look at the desk force and standing committee structure and how that interrelates as far as transferring information. Some of that might affect process and we'd inform legislative procedure and arrangements and get their approval if there are changes in process.

Chairman Carlisle this 1755, is based off a formula, and our salaries?

Jim Smith 1755 relates to lodging. It's based off the government services administration rates. We take 65% of under current law times 30 days to get the maximum.

Senator Holmberg the earlier question about legislative pay, in 1982, the people had voted down, eliminating the requirement of \$5/day. What people got on the ballot was very well written: "The legislative, executive and judicial branches are co-equal branches of government, elected members and officials of each branch shall receive as compensation for their services only such amounts as may be specifically set by law. Payment for necessary expenses shall not exceed those allowed for other state employees." Then we repealed the section of law that set the \$5.00 a day. It ties it with state employees, we could do that. The legislature would not be able to get by with not having the vouchers, unless we said "all state employees".

Senator Mathern if it was less it says up to that amount. There are so many houses available now, they don't need the amount of money that we reimburse hotels for, I wonder if some people would go out and do that and saved state money.

Jim Smith When we looked at that before, it's less than 50% in motels right now. We reimburse the actual cost to those who are in houses. A lot of those prices creep up because they know what the limit is.

Senator Holmberg the first months are in for the most part, how many are at the maximum of \$1351 is the max. We had asked about the breakdown of the committees.

Allen H. Knudson: Testimony attached # 1 2011-12 Interim Committee Cost Summary. We also included how many members are on each committee, the number of meetings

held, attendance percentage, what was spent for speakers and consultants and the per diem and travel for committee members and what the total cost through December 2012. Total is just under a million dollars. There will be some additional costs added to this.

Senator Holmberg we had a total of 85% in attendance, is that the % you use when you project how much the committee will cost?

Allen H. Knudson We use 87% the attendance has been going up during the last few years.

Senator Mathern: Have we recently looked at the numbers of committee members? There are some professional studies, which indicate that when you go over a certain amount of persons on a committee you actually decrease productivity. Have we ever applied those principles here? It would be outside of this committee's purview but it does have an impact on money.

Jim Smith that is one of the items legislative management and the leaders look at, when they set up the committee structure. They do a committee preference survey trying to determine where members would like to be, this time average reduced from 17 last biennium to 15. A thing that works against us is that a lot of the committees have a set number by statute. We try to get members on at least one committee, some get on two. Those are the other factors that come into play

Senator Holmberg I sat on that committee, we do a good job of trying to put people who request specific committees and they try to accommodate people I can't remember, as far as membership practically everyone got their first choice. Some people got more

Senator Mathern Finance and tax, higher ed they are the largest committees but it appears they have the most unresolved work coming into the legislature.

Chairman Carlisle on this whole budget is there anything lacking, are you comfortable that you will be able to operate the next biennium, on the Assembly part?

Jim Smith We are. We did list some related bills. I don't think we have a concern with a significant impact on any of those. We'll be watching that as legislature goes forward. Doubling the size of Legislative Management that is an issue we can work through in terms of the cost. There may be one or two others; I brought this up 1059, insurance coverage for temporary employees once the rules are written on that it will impact the Legislative Assembly we will have to wait and see as we proceed.

Senator Carlisle Are you fully staffed now?

Jim Smith we are not. We are asked to redo our organizational chart to add the names Testimony attached # 2: Organizational Chart. Basically this is the same organizational chart when we testified. Explained the organizational chart. Pointed out there are two vacancies in the fiscal area. In the in administrative services area we have 4 vacant positions. Now we get by, we are filling those with temporary positions. In terms of fiscal we do have Allen Scott, has one hired, and we have the intern that is able to provide some additional services. In the administrative services area we hired some temporary people

for the session. We got two or three excellent people that we hired. One is finishing up college, going to law school next fall. The legislative business analyst, which is really being contracted with ITD in terms of business analyst and support of our process and any information technology changes that we do. Basically we have it all covered through either temporary or contract. If they go full time that is in the budget.

Senator Holmberg Adam is a paid intern.

Allen H. Knudson the interns get \$3000 per month as a stipend, same for all the interns.

Senator Holmberg you anticipate that the assistant, Roxanne's position will be filled after the session.

Allen H. Knudson that is correct.

Chairman Carlisle your salary range is still competitive ?

Jim Smith During last interim we hired several IT staff and we were behind the market a little bit, we had to up the ante to get those employees which affected some of the existing staff and we also found that with the administrative support people (we call them legislative service specialists they do the final work product for memos, proofreading and bill drafts), we found the same thing there. We were behind the market in terms when we were trying to recruit, we were not getting good applicants.

Allen H. Knudson When Sara left, we did advertise, initially we didn't get any CPAs to apply on the first advertisement. We made some changes, re-advertised and, got a couple last time. We have made salary adjustments, to current staff to move those up we realized we were below what the market is right now. We hired a temporary non-CPA to help us get through the session. We will be re-advertising after session.

Senator Holmberg you have built in the standard compensation increases that the governor supported. Don't you have another \$100K for market adjustments to take care of...

Jim Smith that is correct. In 2007 the Legislature had to initiate catch up salary because of turnover and potential loss of staff. They mandated that we have a small amount of money to kind of stay ahead of that issue and be reactive.

Chairman Carlisle In the market out there we have a good benefit package. Is it the dollar amount the reason why they are not applying?

Allen H. Knudson We are not sure why we are not getting applicants. Part of it is the overtime during session. Housing is not an issue as far as we know

Senator Holmberg what is the range now for fiscal analyst. When you advertise for Sara's position, what range will you be looking at?

Allen H. Knudson We need to go up more, \$58,000 up based on experience, we did not get any applicants. When we re advertised we took the dollar amount out. I think it will probably have to be to the mid 60 to 70 thousand dollars. We are in comparable with OMB.

Chairman Carlisle we'll have to watch related bills on that. Are there any surprises in the horizon

Jim Smith the one thing we appreciate the flexibility on the salary part.

Senator Mathern Is the tech staff going up to a degree that relates to all the technology we have for legislators. Are we getting close to having too many options. How do you see other states, computer, i-pad, smart phone. Will at some point we have one piece of equipment, a permanent computer in our chambers, and not have computers for every legislator. What do you see in the future?

Jason Steckler: This is probably the last time that we are going to do both. Based on the feedback the tablets will be here to stay in some fashion. A thinner computer, rather than a lap top and maybe something in committee rooms. Other states that have moved to tablets or ipads, many are coming from all paper to an i-pad. We are coming from a different background.

Discussion followed on the use of i-pads. Chairman Carlisle highlighted: salary formulas, lodging and mileage increases as important for the full committee meeting.

Closed the hearing on SB 2001.

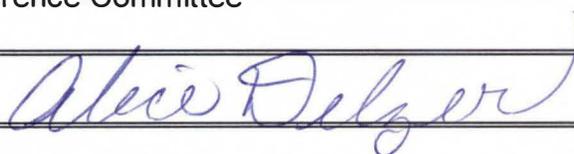
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2001
02-07-2013
Job # 18464

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A Bill regarding the Legislative Branch (Do Pass as Amended)

Minutes:

See attached testimony

Chairman Holmberg called the committee to order on Thursday, February 07, 2013 at 8:00 am. Roll call was taken. All committee members were present. Adam Mathiak and Brady Larson from Legislative Council and Tammy R. Dolan from OMB were also present. There was discussion regarding SB 2160 but this committee was informed that SB 2160 will not come before this committee.

Chairman Holmberg: Just so the committee is aware 2023 will be the second bill on the calendar tomorrow for a Do Pass, the racing commission. We are not proposing any amendments to what is in all of these bills. But this would allow the bills to go out, the funding for the governor's package is in those bills. SB 2001 is a bill on the legislative branch of government. Senator Carlisle and Allen H. Knudson will tell us what the subcommittee is suggesting.

Senator Carlisle: handed out amendment #.01002 which describes the legislative lodging reimbursement.

Allen H. Knudson: explained the amendment. He stated the lodging rate is set by statute. and brought forth information regarding the rate for this session and forthcoming sessions. The amendment reduces the amount in the budget from the amount they were anticipating down to \$77.00 a night. Also on the memo at the very bottom what the legislators are being reimbursed for this session, out of 105 legislators that turned in their reimbursement vouchers for the month of January and the costs they are paying for lodges ranges from a low of \$575.00 to a high of \$1800.00. The average is \$1351 or 1352. We asked how many are staying in motels versus private residences and 47% are living in motels. (7.19)

Testimony attached # 1 Legislator Session Lodging Reimbursement - Legislator Housing
Testimony attached # 2 - Proposed Amendments to Senate Bill no 2001 #13.8020.01002

Senator Carlisle moved the amendment 13.8020.01002 for purpose of discussion.

2nd by Senator Mathern.

Chairman Holmberg: That is on SB 2001. That was confirmed.

Allen H. Knudson: I did fail to mention that the monthly amount for 2015 about \$1500 a month. That is an estimate. It will based on what the GSA rate is at that time.

Chairman Holmberg: For those who are new to the committee we have to do estimates but at the same time we have the flexibility, if for example, we budget for 77 days and go to 80 day and start running out of money or have a special session, we can take money from the future to cover our expenses, so our expenses will be covered. We have a motion and a second for an amendment. All in favor say aye. None opposed. Motion carried.

Senator Carlisle Moved Do Pass as Amended. Senator Mathern 2nd.

Chairman Holmberg Would you call the roll on a Do Pass as Amended on 2001.

A Roll Call vote was taken. Yea: 13; Nay: 0 Absent: 0. Senator Carlisle will carry the bill.

The hearing on SB 2001 was closed.

2/17/13
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PROPOSED AMENDMENTS TO SENATE BILL NO. 2001

Page 1, replace line 18 with:

"Operating expenses	3,268,968	959,958	4,228,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$2,172,760	\$14,197,971"
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Page 2, replace line 4 with:

"Operating expenses	3,305,520	508,007	3,813,527"
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Page 2, replace line 6 with:

"Total all funds	\$10,896,351	\$1,279,162	\$12,175,513"
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Page 2, replace line 8 with:

"Total general fund	\$10,826,351	\$1,279,163	\$12,105,514"
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Page 2, replace line 14 with:

"Grand total general fund	\$22,851,562	\$3,451,923	\$26,303,485"
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Page 2, replace line 16 with:

"Grand total all funds	\$22,921,562	\$3,451,922	\$26,373,484"
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Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
Legislative Assembly			
Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
Legislative Council			
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
Bill total			
Total all funds	\$26,556,820	(\$183,336)	\$26,373,484
Less estimated income	69,999	0	69,999
General fund	\$26,486,821	(\$183,336)	\$26,303,485

Senate Bill No. 2001 - Legislative Assembly - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	(\$138,393)	4,228,926

Capital assets	530,000		530,000
National Conf of State Legislatures	233,286		233,286
Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
FTE	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Senate Changes

	Reduces Legislator Lodging Estimate ¹	Total Senate Changes
Salaries and wages		
Operating expenses	(\$138,393)	(\$138,393)
Capital assets		
National Conf of State Legislatures		
Total all funds	(\$138,393)	(\$138,393)
Less estimated income	0	0
General fund	(\$138,393)	(\$138,393)
FTE	0.00	0.00

¹The operating expenses line item is reduced by \$138,393 to decrease the funding anticipated to be needed for legislator lodging reimbursements for the 2015 legislative session. The budget request anticipated the maximum monthly lodging reimbursement rate for the 2015 legislative session based on the statutory formula to be \$1,755 per month. The Senate version anticipates the maximum amount to be \$1,502 per month. The maximum amount in effect for the 2013 session is \$1,351 per month.

Senate Bill No. 2001 - Legislative Council - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$8,336,986		\$8,336,986
Operating expenses	3,858,470	(\$44,943)	3,813,527
Capital assets	25,000		25,000
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
FTE	34.00	0.00	34.00

Department No. 160 - Legislative Council - Detail of Senate Changes

	Reduces Legislator Lodging Estimate ¹	Total Senate Changes
Salaries and wages		
Operating expenses	(\$44,943)	(44,943)
Capital assets		
Total all funds	(\$44,943)	(\$44,943)
Less estimated income	0	0
General fund	(\$44,943)	(\$44,943)
FTE	0.00	0.00

¹The operating expenses line item is reduced by \$44,943 to decrease the funding anticipated to be needed for legislator lodging reimbursements for interim meetings during the 2013-14 interim. The budget request anticipated the daily lodging reimbursement rate for the 2013-14 interim to be \$90 per night. The Senate version anticipates the rate to be \$77 per night. The current rate is \$69.30 per night.

Date: 2-7-13

Roll Call Vote # 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. _____

Senate Appropriations _____ Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.8020.01002

Action Taken Do Pass

Motion Made By Carlisle Seconded By Mathern

Senators	Yes	No	Senator	Yes	No
Chairman Ray Holmberg			Senator Tim Mathern		
Co-Vice Chairman Bill Bowman			Senator David O'Connell		
Co-Vice Chair Tony Grindberg			Senator Larry Robinson		
Senator Ralph Kilzer			Senator John Warner		
Senator Karen Krebsbach					
Senator Robert Erbele					
Senator Terry Wanzek					
Senator Ron Carlisle					
Senator Gary Lee					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

*voice vote
carry*

Date: 2-7-13

Roll Call Vote # 2

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2001

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Carlisle Seconded By Mathern

Senators	Yes	No	Senator	Yes	No
Chairman Ray Holmberg	✓		Senator Tim Mathern	✓	
Co-Vice Chairman Bill Bowman	✓		Senator David O'Connell	✓	
Co-Vice Chair Tony Grindberg	✓		Senator Larry Robinson	✓	
Senator Ralph Kilzer	✓		Senator John Warner	✓	
Senator Karen Krebsbach	✓				
Senator Robert Erbele	✓				
Senator Terry Wanzek	✓				
Senator Ron Carlisle	✓				
Senator Gary Lee	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Carlisle

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

REPORT OF STANDING COMMITTEE

SB 2001: Appropriations Committee (Sen. Holmberg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2001 was placed on the Sixth order on the calendar.

Page 1, replace line 18 with:

"Operating expenses	3,268,968	959,958	4,228,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$2,172,760	\$14,197,971"
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Page 2, replace line 4 with:

"Operating expenses	3,305,520	508,007	3,813,527"
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Page 2, replace line 6 with:

"Total all funds	\$10,896,351	\$1,279,162	\$12,175,513"
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Page 2, replace line 8 with:

"Total general fund	\$10,826,351	\$1,279,163	\$12,105,514"
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Page 2, replace line 14 with:

"Grand total general fund	\$22,851,562	\$3,451,923	\$26,303,485"
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Page 2, replace line 16 with:

"Grand total all funds	\$22,921,562	\$3,451,922	\$26,373,484"
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Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
Legislative Assembly			
Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
Legislative Council			
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
Bill total			
Total all funds	\$26,556,820	(\$183,336)	\$26,373,484
Less estimated income	69,999	0	69,999
General fund	\$26,486,821	(\$183,336)	\$26,303,485

Senate Bill No. 2001 - Legislative Assembly - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	(\$138,393)	4,228,926
Capital assets	530,000		530,000
National Conf of State Legislatures	233,286		233,286

Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
FTE	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Senate Changes

	Reduces Legislator Lodging Estimate ¹	Total Senate Changes
Salaries and wages		
Operating expenses	(\$138,393)	(\$138,393)
Capital assets		
National Conf of State Legislatures		
Total all funds	(\$138,393)	(\$138,393)
Less estimated income	0	0
General fund	(\$138,393)	(\$138,393)
FTE	0.00	0.00

¹The operating expenses line item is reduced by \$138,393 to decrease the funding anticipated to be needed for legislator lodging reimbursements for the 2015 legislative session. The budget request anticipated the maximum monthly lodging reimbursement rate for the 2015 legislative session based on the statutory formula to be \$1,755 per month. The Senate version anticipates the maximum amount to be \$1,502 per month. The maximum amount in effect for the 2013 session is \$1,351 per month.

Senate Bill No. 2001 - Legislative Council - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$8,336,986		\$8,336,986
Operating expenses	3,858,470	(\$44,943)	3,813,527
Capital assets	25,000		25,000
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
FTE	34.00	0.00	34.00

Department No. 160 - Legislative Council - Detail of Senate Changes

	Reduces Legislator Lodging Estimate ¹	Total Senate Changes
Salaries and wages		
Operating expenses	(\$44,943)	(44,943)
Capital assets		
Total all funds	(\$44,943)	(\$44,943)
Less estimated income	0	0
General fund	(\$44,943)	(\$44,943)
FTE	0.00	0.00

¹The operating expenses line item is reduced by \$44,943 to decrease the funding anticipated to be needed for legislator lodging reimbursements for interim meetings during the 2013-14 interim. The budget request anticipated the daily lodging reimbursement rate for the 2013-

14 interim to be \$90 per night. The Senate version anticipates the rate to be \$77 per night. The current rate is \$69.30 per night.

2013 HOUSE APPROPRIATIONS

SB 2001

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Government Operations Division
Medora Room, State Capitol

SB2001
March 18, 2013
Recording Job# 20026

Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

Minutes:

Chairman Thoreson: Opened the hearing on SB2001. All members were present.

Representative Al Carlson, District 41, ND Legislative Assembly: See testimony attachment 1.

5:48

Chairman Thoreson: When were the changes made to the legislative lounge?

Al Carlson: Over last session.

Chairman Thoreson: Can that room be used for conference committees?

Al Carlson: You can do some committees in there if you wanted to. As long as you announce where it's at and they have access to the room.

Al Carlson: See attachment 1.

08:02

Representative Kempenich: How do we get these fiscal analysts and OMB doing the budgets?

Al Carlson: When we get a budget; we try to build a bridge with OMB. We need to ask for a better response time to the information we're given; because years ago we turned that over to the governor.

Representative Kempenich: What could the assembly look at doing during the interim if there were any major changes outside of policy issues and salaries? As soon as we leave here this process starts all over again with these agencies.

Al Carlson: I think that us being able to get the information we need with a little more staff would really help.

Jim W. Smith, Director, ND Legislative Council: See testimony attachment 2.

15:55

Chairman Thoreson: When was the change made to 80 days?

Jim Smith: In 1972.

19:05

Representative Kempenich: Do we have any members that have retired, defeated or quit that are on the health plan?

Jim Smith: They're eligible to continue under COBRA for a year. We'd have to check on that.

Representative Kempenich: Didn't we change that a session or two ago?

Jim Smith: We can check on that.

Jim Smith continued with his testimony.

21:33

Vice Chairman Brandenburg: What about people who have rented a home or something like that; is that going to be adjusted for them?

Jim Smith: I think the way that HB1212 is; it's retroactive and the emergency clause didn't carry. So what we do after the session is we go back and adjust those payments. For legislators that have contracts that tie it to the maximum available, there'd be that additional increment that would be available to be reimbursed for those situations.

25:11

Representative Glassheim: I don't use secretarial much; but, my sense was that it was much better when they were working for us. I wonder if there could be a survey of legislators to find out what they think of the secretarial service.

Jim Smith: It would be helpful for us if we'd get that feedback as soon as you get it so we can get it corrected also. We'll follow up on that.

Representative Hawken: I like having the stationary on the computer; however, it doesn't look professional. When you print it out it looks like it's a photocopy. Maybe we should have a little real stationary.

Jim Smith: That's good feedback. The legislative procedure and arrangements committee decided that and we'll follow up and bring that back to them during the interim.

29:26

Representative Guggisberg: If we approve these 3 FTE's for financial, are you going to need some money for upgrading offices there as well?

Jim Smith: We don't have any permanent office space that's empty. The option could be that there are some extra cubicles in the secretarial area that staff could be placed on a temporary basis. It wouldn't be a long term solution.

30:34

Representative Kempenich: We don't have vault space?

Jim Smith: We do off the elevator on the second floor.

Representative Kempenich: Could that be used? What do you use that for?

Jim Smith: That's used for storing some of our reports that are given to you. We keep those historic reports, all the legislative council or management reports from previous years, the studies that have been done.

Jim Smith continued with his testimony.

32:09

Vice Chairman Brandenburg: I know some states aren't paying their dues.

Jim Smith: Representative Carlson is on the executive committee of NCSL. That's one of the issues he's identified. We do have information both for CSG and NCSL in terms of the current status of the states going back five years. There are a number of states that are not current for both organizations.

34:59

Representative Kempenich: Council is not classified positions are they?

Jim Smith: No, we're non-classified positions.

Representative Kempenich: Are we paying enough?

Jim Smith: That's a valid point. We thought we were with those positions specifically. What we're finding though is the market is more difficult to recruit than what we thought. We do have money in here to address both retention and recruitment.

Jim Smith continued with his testimony.

39:34

Representative Hawken: Is that the national one that Representative Skarphol goes to?

Jim Smith: That's correct. There are two House members and two Senators that are appointed to that. They have quarterly meetings.

Representative Hawken: Why are the dues spread all over and not in one bill?

Jim Smith: OMB has a lot that relate to CSG, education commission, the state. These relate specifically to legislators.

Representative Hawken: Do we have a list anywhere?

Allen Knudson, Fiscal Analyst, ND Legislative Council: The full House appropriations committee just after crossover asked for that. You should be getting a list today.

42:42

Representative Sanford: The \$300,000.00 for consulting services, in a bill like HB1319 includes a required study and is \$100,000.00 for that study. Would that be part of this \$300,000.00?

Jim Smith: That money would be in addition to this. The option would be to have that study and not have the funding in the bill; and this \$300,000.00 could be used for that purpose.

Representative Sanford: In the area of consulting, is there a figure on consulting for the entire entity of state government? Is there a way to know what all of that would be?

Jim Smith: That should be something that we can get through PeopleSoft.

Jim Smith continued with his testimony.

46:55

Vice Chairman Brandenburg: It would be nice if we could figure out how to go to a 70 days and then 10 days the next year.

Chairman Thoreson: Closed the hearing.

Chairman Thoreson: Opened the discussion.

Vice Chairman Brandenburg: You have a number of amendments from the Senate. Is there something about what the Senate changes were?

Jim Smith: The Senate amendments, as I understand them, they adjusted the budget for both the legislative assembly and legislative council. We had anticipated a large increase in the GSA rate that drives what you get paid. We realized once we were in the Senate that we had overestimated that; so, that's what we're rolling back. We reduced the assembly by \$138,000.00 and the council was reduced just under \$45,000.00. That's to revise our estimate of what we think the lodging rates will be under current law. HB1212 changes the formula; that will need to be reconciled probably in conference committee.

Chairman Thoreson: Closed the discussion.

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Government Operations Division
Medora Room, State Capitol

SB2001
March 25, 2013
Recording Job# 20396

Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

Minutes:

Chairman Thoreson: Opened the discussion on SB2001.

Representative Vicky Steiner, District 37, Dickinson, ND Legislative Assembly: See attachment 1.

02:04

Chairman Brandenburg: Are you talking about the mobile device you can get from Verizon or AT&T which works to connect devices to the internet?

Representative Steiner: That's correct.

Representative Glassheim: I have a hotspot on my phone. When I go back to my apartment I have to turn on the hotspot on my phone in order to get my I Pad to work. Is this a separate device?

Chairman Thoreson: There are separate devices that are provided by the various cellular providers. Is that what you're aiming towards?

Representative Steiner: I think you should look at the policy and just see if it's possible; just to keep people connected each way.

Chairman Thoreson: With the I phone, Android devices and I Pad they have a component where they have it also.

Representative Steiner: The I Pad could be activated on a data plan; that would also have a cost to the state.

Representative Guggisberg: I was wondering if they assume every legislator would want it. I don't think it's true that every legislator would want it.

Representative Glassheim: What do the devices cost?

Representative Steiner: Sixty to eighty dollars.

Jason Steckler, Administrative Services Director, ND Legislative Council: Each legislator is afforded the ability to have broadband in your house. The alternative we found for the broadband was the mobile hotspots. That's what we do; it's either broadband, cable or DSL to your house, or a mobile hotspot, that's how the policy's been laid out. The other policy that you're aware of is the mobile telephone. That's why that policy has tried to change as carriers and technology changes. This particular device in this amendment does what Representative Steiner says; it'd be something new. The policy states we will pay a portion of their cellphone data; but it doesn't give me the ability to say this person doesn't want the cellphone data and to get a mobile hotspot. The only time we've done a mobile hotspot is where the legislator has the mast on the house. Even if we did something like this and I'm not opposed to it; we will probably always be reactive unless we look at what some other states do and they go to the stipend.

Chairman Thoreson: Right now with our I Pads, we don't have a data package on those.

Jason Steckler: We do not have a data package.

Chairman Thoreson: We can put in a credit card and do it ourselves? That would be an option to use that as an option for a hotspot?

Jason Steckler: With a credit card you can turn on the CDMA radio, cellular radio inside the I Pad, and connect to a Verizon tower and get data that way.

Chairman Thoreson: What would that cost us to do with an I Pad devices?

Jason Steckler: I believe the cheapest data plan is \$21.20/month.

Chairman Thoreson: Could we get numbers on that? Is that the same with the I Phone?

Jason Steckler: The I Phone is a little bit different. Since it has a telephone number on it; if you're on a share plan, it's \$40.00 for the phone and you pick a data plan. The scenario you talked about where you turn the wireless on the I Pad; you pick your data plan and if you go over the plan in the month you turned it on, then you will pay exorbitant rates. The cheapest is about \$21.00/month and it only goes up from there.

Chairman Thoreson: Do you have a breakdown of how they're doing this in other states?

Jason Steckler: I can provide a couple of scenarios.

Allan Knudson, Fiscal Analyst, ND Legislative Council: The numbers we came up with for Representative Steiner was \$45.00/month for the device.

Chairman Thoreson: Does that include purchase of the device? Does the carrier provide that if you sign a two-year contract?

Jason Steckler: The carrier provides the first one and if the device is lost or stolen in the first two years of the contract; then you have to pay for a new device.

Representative Kempenich: Can you get insurance?

Jason Steckler: You can. I think it's about \$9.00/month through the carrier.

Chairman Thoreson: They would provide you the device. So \$65.00/month is the amount you came up with?

Allan Knudson: \$45.00/month.

Chairman Thoreson: For each legislator?

Allan Knudson: For the biennium.

Chairman Thoreson: That would be in addition to what we're currently getting?

Allan Knudson: Yes.

Chairman Thoreson: See attachment 2

18:51

Jim Smith, Director, ND Legislative Council: It would be a question of who is going to do the work. You talk about the interns doing it and it might be a possibility if they were capable of doing that in addition to their current duties.

Chairman Thoreson: How does our intern program work? How many total interns do we have and is there a way if we wanted to add 2 or 3?

Jim Smith: We have an agreement with the law school at UND; and they provide 10 interns. Basically their responsibility is to draft amendments that they can as well as limited legal research.

Chairman Thoreson: That's been going on for quite a few years. Correct?

Jim Smith: That's been in place as long as I can remember. Hopefully we could have a couple of those; they probably wouldn't be involved in this effort. I don't know about the ability to expand that intern program. We were pretty fortunate to get 10; I don't know if we could get any more from the law school.

Representative Guggisberg: How long have there been 10 and have we requested more?

Jim Smith: It's been as long as I can remember. We train them late in December and they're here for four full months. They get 12 hours credit and a basic stipend each month.

Chairman Thoreson: Do you know off hand if any other states do anything like this?

Representative Guggisberg: This would just be a change of rules; we wouldn't have to codify this.

Chairman Thoreson: I don't know. To study it would we have to put anything forward in this bill?

Jim Smith: I think the approach would be to have legislative procedure and arrangements committee; which basically looks at changes in the legislative process, allow them to look at it during the interim and have a discussion of what it would take, the effect of it, what resources we have to accommodate it. A lot of these states like Washington and other large states have huge legislative staff. They're more of a full-time legislature.

Chairman Thoreson: I think it would be good to have some way of getting more information to the general public of what a bill does. I guess we could approach them; but we could put language in that they may consider studying it.

Representative Guggisberg: I was thinking if we do a study resolution or put language in there to direct legislative management to look at this. Maybe if we make it broader.

Representative Glassheim: I support your proposal. I like your idea of the first year trying one committee. I think we would need at least one full-time person to do this if we were going to do it for all or many of the bills.

Chairman Thoreson: That's why I thought instead of saying we're going to do it for everybody; it would be a big change.

Jim Smith: The thing to keep in mind is that we have 950 bills this session. As those bills get amended these summaries become outdated; so you have versions of bills.

Chairman Thoreson: That's one thing I haven't looked at is what they do when the bills become amended.

Representative Glassheim: It looks like these are the original bills and they may or may not keep up with all the changes.

Chairman Thoreson: I have looked at others. I just went to their website and typed in 1133 to see what came up and this is the bill that pulled up. I've seen others where they have already had the hearing and it will explain. It says brief testimony and it has listed those supporting/opposing; it doesn't give their exact testimony. They do update those pretty continuously.

Representative Kempenich: When you set these green sheets up on the format; how much does that work take? Are these just a template and you add things in? Or is it customized to each individual agency?

Jim Smith: I wouldn't call them cookie cutter; there's a lot of decisions that need to be made in that bottom as to the description and those descriptions change with the amendments and so do the dollar amounts. The top part is a form.

Representative Kempenich: I was thinking if you had some type of format for the green sheet or spreadsheet; it wouldn't be that tough to put something together. This would have to be a cover sheet to the bill when you pull it up?

Chairman Thoreson: I don't know if they have something similar to our laws for legislators to use; but when you go to their website it has the breakdown of the bill, actions, versions and then bill analysis.

Representative Kempenich: I don't know if I would support something like this on an appropriation bill. I had a constituent that had trouble getting into the bills over the weekend; and the system has bill tracking on it. That bill track isn't for constituents. I had to tell her to look at the bill summary. That bill tracking is more for lobbyists and stuff like that isn't it?

Jim Smith: You have to register for it.

Representative Kempenich: She was getting a little upset.

Jim Smith: You have to go to quick link which shows the senate bills, major topics, bill status.

Representative Kempenich: I was wondering what it would take if we had split sessions.

Representative Guggisberg: I think our economy in ND has taken us to the point where we may have to meet more often. It is going to cost a lot more money to do that. If we go to annual budgets, it's going to change how we budget. There's going to have to be a lot more interim meetings. I think maybe South Dakota has the right idea where they Monday through Thursday; go home on Friday and meet with the citizens. That would add significant cost because you're only working 4 days.

Representative Kempenich: South Dakota is combining a policy session with a budget session; they're still fitting it in their 80 day schedule. Wyoming does a 20/45 for their sessions. The special session in November 2011 really got me going on this. That felt just like the beginning of a session; we had requests, we were getting meetings.

Vice Chairman Brandenburg: We have to go the full 80 days. If we would designate 60 days for the regular session and leave the last 20 days. We got a lot done in that special session.

Chairman Thoreson: Since statehood have we always had biannual sessions? Was there ever a time when North Dakota had an annual legislative session?

Jim Smith: As far as I know it's always been a biannual session.

Chairman Thoreson: Do you know why they determined it was going to be every other year?

Representative Kempenich: Horses, buggies and trains probably until the 1950's. Most people came in to Bismarck and stay here; they didn't travel back and forth.

Chairman Thoreson: What would this do to the demands of staff and legislative council? If we go a session every year, do we continually have to repeat that cycle? Do you need more people to help prepare for it?

Jim Smith: I think you have to think about what preparation goes in ahead of time. For the special session, a lot of that work was done in interim committees ahead of time; that's going to be a factor.

Chairman Thoreson: What did it do to the interim committee process?

Jim Smith: I think it would have to be more focused; you probably wouldn't have 26 committees meeting. By the time you reorganize in June after session; and you come back in the fall, you have 6 months. The other issue is session staff; whether you can bring those back every year. The special sessions we've had have had the process for delayed bills; all bills are treated as delayed bills and had to go through the delayed bills committee for the House or Senate.

Chairman Thoreson: How would this affect the budgeting process if we would go to an annual session? What would agencies have to do to prepare to for that? Would they have to do the exact thing every year?

Sheila Peterson, Fiscal Analyst, ND Office of Management and Budget: Yes, we would have to do that every year. We would have to adjust the timeframes. Now the governor releases his guidelines in the March/April timeframe; budgets are due July 15, but, we do give extensions. We need to meet with the agencies if they would like. We'd have to make all the decisions on what the governor's budget will include and be done by that first week of December. If we were to do that every year, that would not be the timeframe. Other states that have annual sessions; where they're not getting out until the spring each year, don't start their budget process until the summer.

Chairman Thoreson: How many other states do it as we do and pass all these individual budget bills? I've talked to legislators in other states where they do one general budget bill at the end of the session. They might have separate hearings on some parts; but they work off of one bill. Is that more the standard or are we more the standard?

Sheila Peterson: I'm not sure which one would have the majority. I know legislators here in North Dakota like to have the individual budget bills.

Chairman Thoreson: I would guess that in a lot of states that are doing annual sessions that they don't do those separate bills.

Sheila Peterson: I would imagine that they're doing budgets at a higher level than is the preference here in North Dakota.

Representative Kempenich: That's where the study part of this would fit in.

Vice Chairman Brandenburg: If you would just stay with the budgets in the regular session at 60 days and then deal with the hot topics during the 20 day session. We get hung up in conference committees between the two assemblies and those decisions could be made a little faster.

Chairman Thoreson: The answer is that they do annual budgets in South Dakota.

Representative Kempenich: There's been an argument that we'll be full time legislators; that's not my point at all.

Representative Guggisberg: Has this ever been studied before?

Jim Smith: They always look at the deadlines that drive the length of the session. The deadlines were changed 2 or 3 sessions ago.

Representative Guggisberg: How much of your work do you contract out? Do you contract out with economists to look at the issues?

Jim Smith: We do have about \$300,000.00 for contracting with consultants. We typically do one during the interim. We don't use a lot of consulting; usually there's an area that we need some expertise that we don't have on staff or any of the agencies.

Representative Guggisberg: You think that's adequate? With our diversifying and growing economy will there be issues that we may need more insight into?

Jim Smith: I think as those needs come up, we have the resources to do that kind of thing. It depends on the circumstances.

Vice Chairman Brandenburg: Dealing with raising the lodging higher, I have an apartment and contract; and a verbal agreement with them that whatever I get paid, I'll pay him. In the past, we just ended up giving the increase to the lodging. Do I have to have a statement from him that it's going to be increased? I know it's going to get out there that we were paid more.

Jim Smith: It's reimbursement based; so, first of all, you'd have to pay it and have the receipt. I would suggest that the contract would have some kind of amendment in it. The other issue is when it gets paid, the emergency clause failed in the House; so, that would mean the law wouldn't be effective until July 1st and we'd pay it retroactively.

Vice Chairman Brandenburg: Then a person could just make an amendment between the person and department that would deal with that issue.

Jim Smith: Right; make it tie with any statutory maximum that's in place.

Chairman Thoreson: We have just under \$397,000.00 in the budget for adding a/v equipment in all the committee rooms and then \$12,000.00 for video conferencing equipment. What's the idea with the audio/video equipment in the committee rooms; other than what we already have now? Is this to pick up video from the committee rooms?

Jim Smith: That would be the idea. Legislative procedure and arranged approved the video storage for the chamber action; we store that on our website. As part of that, we bought the equipment so that we could do the same thing in the committee rooms. This money would provide in the committee rooms the equipment to provide for audio/video streaming as well as storage on our website.

Chairman Thoreson: So every committee would be streaming via the website and archived?

Jim Smith: That's what the request would anticipate.

Chairman Thoreson: Would that then require someone to operate the equipment in each committee room as we see on the House and Senate floor?

Jim Smith: We're going to have the Roughrider and Harvest room have that capability early this summer. That will be a pilot and we can see how that works. In most situations it would be two cameras; so, it would be a matter of turning it on and switching between the cameras. One would be at the podium and the other would be a broader perspective.

Jason Steckler: We understand that we can't add additional staff to handle the cameras. What we're setting up in the Harvest and Roughrider room is a touch screen; it shows a small video screen so they know what's being broadcast.

Chairman Thoreson: Who's the "they" you're talking about; the committee chairman?

Jason Steckler: The committee chairman could run it; but it will probably legislative council staff in the interim. It could be the clerk during session. All they would do is push button one for the podium, button two would be the broad shot of the entire committee, button three could be a tighter shot on the chairman/vice chairman.

Jim Smith: What we're looking at here to is not to add additional duties to the clerk. Hopefully, the minutes will become real streamlined; maybe outline form, because the audio/video would be there on the website. The minutes would be reduced to perhaps motions.

Representative Guggisberg: Just so I understand it, the next session the day after we meet in committee, the audio/video would be available for anyone to watch? In South Dakota you can listen to committee meetings from the morning in the afternoon online.

Jim Smith: I don't know if you look at the chamber videos now, but you can look at those live and just 5 minutes after session you can go back and go through that video and it's indexed by legislator speaking and bill number. You can go back to the previous 50 days as well.

Representative Guggisberg: How far are we from people being able to testify in committees from Fargo or Grand Forks?

Jim Smith: I'm sure it's available now.

Chairman Thoreson: That's what I was wondering if the video conferencing had anything to do with that or if that was something completely separate?

Jim Smith: You have to consider if the committee members have to be present.

Chairman Thoreson: During interim committees there's been a rare occasion where somebody has participated via telephone conference. That was questioned whether or not that would go forward.

Jim Smith: Just on terms of legislators participating via phone on interim committees, the rules provide that it's subject to approval by the chairman of legislative management. If it's made available to one member; it has to be made available to all members.

Chairman Thoreson: So in theory we could all be sitting on a conference call with none of us in the capitol.

Jim Smith: That's correct.

Representative Guggisberg: I do think that we have 11 universities around the state. We could still limit the testimony to so many hours and limit the amount of people that were to testify on a bill. I think as technology improves and we're able to get more information; this is a way that they can possibly get to us.

Chairman Thoreson: I think it is possibly the case that it will go that way at some point.

Vice Chairman Brandenburg: I think if you did this with these off site hearings; you'd have someone that would want to talk for a long time.

Representative Kempenich: You'd have to tell them that they have 15 minutes of testimony time. They're going to make sure that the pertinent information out.

Jim Smith: The \$12,000.00 for the video conferencing equipment; what we anticipate there is in the meeting room that's in the doctor of the day area. That would have the ability to do video conferencing from there.

Chairman Thoreson: Would there be cameras in there?

Jason Steckler: Yes.

Chairman Thoreson: Do we need that type of thing if we have an I Pad with facetime? I'm wondering what the benefits are of having a dedicated area for that?

Jason Steckler: We can facetime, skype, do google circles. A dedicated teleconference room is something similar to what banks do for their business. In the last 2 bienniums I have had over a dozen requests by legislators because they need to get on video teleconferencing and they need to talk to someone on the western/eastern part of the state. We have no capability in the legislative side of the capitol; we always have to send them over to the executive side.

Chairman Thoreson: Closed the discussion.

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Government Operations Division
Medora Room, State Capitol

SB2001
April 8, 2013
Recording Job# 20972

Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

Minutes:

Chairman Thoreson: Opened the discussion on SB2001. All members were present.

Vice Chairman Brandenburg: Explained amendment and made a motion to move amendment 13.8020.02003

Representative Hawken: Seconded the motion.

Representative Glassheim: I don't recall, did the Senate kill the increase?

Chairman Thoreson: The bill that we had which passed the house appropriations committee and the full House was defeated in the Senate by a vote of 2-45. This language is the same language. I think it's important that we have a discussion again with the Senate about this. I think by putting it in this bill, I'm certain this is going to go to conference and we can at least have a discussion with them as to why they decided to do that.

Representative Glassheim: And the formula is what we had going over?

Chairman Thoreson: This amendment should be just about word for word of what the original language was.

Representative Glassheim: What are all the removals of the pages?

Allan Knudson, Fiscal Analyst, ND Legislative Council: This amendment was a little complicated; because the legislative pay increase was included in those sections starting on page 4. Because the lodging increase is retroactive to January 1, we had to do that as a separate section; so we had to break out the salary increases and just amend the

subsections for each of those, so they each have their own effective date. In the amendments, the new sections 6 and 7 have the same language that are in the bill originally; there are no changes. Section 8 is the lodging adjustment.

Representative Glassheim: The removals are no change?

Allan Knudson: The removals what is being replaced by the new sections 6 and 7.

Representative Glassheim: There is no emergency is there?

Allan Knudson: Yes there is.

Chairman Thoreson: Does it say emergency or is there retroactive? How does that work?

Allan Knudson: The retroactive was added by the amendment; but, the emergency clause was already on the bill, so it's not in the amendment.

Representative Glassheim: The emergency clause didn't pass in the House either.

Representative Guggisberg: If that bill had died and we didn't do this amendment, would housing be the same as it is this session?

Allan Knudson: Yes.

Voice vote made and carried.

Vice Chairman Brandenburg: Made a motion to move amendment 13.8020.02005.

Representative Kempenich: Seconded the motion.

Chairman Thoreson: Explained the amendment.

Representative Glassheim: Is this the stuff with getting people hooked on electronic cigarettes?

Chairman Thoreson: There is medical research being done. From what I've studied and looked at, the problem with tobacco products is you get hooked on the nicotine; but it's the junk in the smoke that gives you cancer and emphysema. There have been studies done in Sweden, Great Britain and the Royal College of Physicians have worked on it. I referenced when I testified in the Senate the International Journal of Drug Policy had an article that using these alternative strategies and these may get them off of the cigarette product. There's the thought that there's a segment of the population that no matter what is going to continue to use nicotine.

Representative Glassheim: I'm loath to promote new forms of addiction as opposed to getting off completely. We have significant dollars pledged already. I don't know why this would be of much use.

Chairman Thoreson: It just asks them to study it, they don't have to. With the millions of dollars we're spending with advertising and other forms; we still have 15% to 18% of the population in our state that are still hooked on cigarettes.

Representative Hawken: I tried everything to quit smoking and finally Chantix worked for me; it doesn't work for everybody. I think it's worth looking at again because different things work for different people. I don't think we're helping people; I think we're doing great for television advertising.

Representative Glassheim: Why is it appropriate for the legislature to study this? Are there any impediments to using these now? Are there any changes in law? Would we give these things money if they're useful?

Chairman Thoreson: The people of the state have spoken through various ballot measures about the way they want to handle smoking. I think at some point there will be a time when that will come to an end or some other decisions will have to be made. The medical community is looking at this more.

Voice vote was made and carried.

Representative Kempenich: One of the things that have been talked about is that we put a priority of 70 days and then a 10 day special session for the next year to try and follow up; it would be mostly budget bills, but, there'd be some policy issues also. My proposal would be that legislative management looks into the complications of doing that.

Chairman Thoreson: So it would be a study to look at changing the way the days are structured?

Representative Kempenich: Yes.

Vice Chairman Brandenburg: With all the things going on I think we need to leave some time and it wouldn't be such an impact.

Representative Guggisberg: So we would only work on budget bills? My concern is that we come in for 10 days and try to run 1,000 bills. I think if we were able to stick just to budget bills and readjustments of budgets that might be a good idea.

Representative Kempenich: The idea would be that there would be a delayed bills committee. It wouldn't all be budget bills. It would be a study to look at how to address some of these issues.

Representative Sanford: If you're going to study it; it would also make sense to look at what the expectations are of the interim committees and how they can be more valuable in terms of their work.

Representative Hawken: I think there would be great value to study this. I would also add the component to a study of how we better serve the people of North Dakota in our legislative roles.

Representative Kempenich: I think we should have legislative management look into the legislative process of this.

Chairman Thoreson: Do you want it to be a "shall study" or "shall consider" study"?

Representative Kempenich: It can be "shall consider".

Representative Guggisberg: I wonder if this is going to be a study to look at the extra session or are we going to look at ways to improve the legislative process?

Chairman Thoreson: I agree with something about the effectiveness of the committee structure.

Representative Kempenich: If you're going to have a long session, you're going to have to look at the structure of what we do today.

Representative Glassheim: I agree with Representative Sanford that doing something like this might give more immediacy to the interim committees; because they might have a role then to play. If you're going to meet in January or February, you're not going to start the interim process until July. I would be very concerned if a small group of people decide what bills will be let in. If you just have a committee of delayed bills you're going to have a very small number of people making decisions.

Representative Sanford: It seems that we're talking about being more effective and efficient when we look at that.

Representative Kempenich: Has there been a motion?

Vice Chairman Brandenburg: Made a motion to move the 3 bullet points that were discussed.

Representative Guggisberg: Seconded the motion.

Representative Kempenich: I think we're advocating some of our authority.

Voice vote made and carried.

Vice Chairman Brandenburg: Discussed amendment 02.002 from Representative Steiner.

Chairman Thoreson: The I Pads do have the capability of working as a hot spot?

Jason Steckler, Administrative Services Director, ND Legislative Council: The I Pads we purchased for the legislative body not only function with Wi-Fi; but they have the cellular radios in them so you can activate them and get data connectivity via the cellular network.

Chairman Thoreson: Do we know what the cost is on that if we were to do it per device?

Jason Steckler: Depending on the data plan that you pick, you can put it on the credit card and go monthly. It's anywhere from \$20.00 to \$80.00/month.

Representative Hawken: I'm paying \$10.00.

Jason Steckler: What Representative Hawken has done is she has a shared data plan and she can add that as \$10.00 to her other data plan that she has for her mobile device. If you didn't have a shared data plan or if that didn't work for your individual scenario, then you have to activate it with a credit card and pay monthly.

Chairman Thoreson: What Representative Steiner's amendment would have done would be to provide each of us a My-Fi box. Do you know how much those are a month?

Jason Steckler: You can buy just the My-Fi and then you pay the \$40.00 plus dollars a month just like a cellular phone or you can add that to your share plan and pay \$20.00/month; but then you have to be careful about your overage. I did want to offer also that it was our intent to go to legislative management after session and talk about how we're doing this in the reimbursement. There are so many unique situations and requests from legislators that I don't think I'll ever be able to write a policy to stay ahead of the emerging technology or the things that this body is asking us to do. I think we have to look at some of the information I provided to for other states where they are providing stipends for the legislature and letting them decide what is in their best interest in how they can stay connected with their constituents is something we need to look at.

Chairman Thoreson: Most of us are already getting internet to the home and we already have an option on our cellular device to get the data plan. I would like to include language that would allow the flexibility to have a My-Fi or something else to stay connected; an extra option to what we already have.

Representative Sanford: Do we want to codify this or do we just want to say that we know this is an issue and let it be in the hands of the legislative council?

Chairman Thoreson: I just want to make sure it doesn't limit us to not having that one additional option.

Jason Steckler: You brought up the broadband in your homes and that's another thing we get a lot of feedback on. Depending on where you are, who you're service provide is it could be \$30.00 or \$40.00; because everyone lives in different parts of the state. I think that also falls under the realm of looking at possibilities of including the stipend; because, there are so many situations that change.

Representative Kempenich: You get into the rural areas and a lot of this stuff doesn't work. In my case it would have cost me about \$100.00 more to separate it out. I wouldn't have supported codifying this because it is changing so fast. The intent is to keep legislators up on the technology curve of accessibility.

Representative Glassheim: I understand the idea of it being flexible; but, even if you have \$20.00/month; which is \$480.00/person per biennium, we would have to authorize

\$90,000.00 worth of expenditures to expand, unless we wait for two more years when you recommend a policy.

Vice Chairman Brandenburg: In listening to all this, would it be better to have a motion that we allow legislative council to allow one more device? It's going to give them the authorization that they can do it; because right now you can't do it.

Chairman Thoreson: Keeping what we currently have but allowing you the flexibility if somebody wishes to have another device used for mobile hot spot type things; that you would be able to work with it.

Jason Steckler: The IT department works with each one of you based on your scenario; what your wants and needs are. I'm not against appropriating the money into the fund; then maybe relaxing the policy or writing a new policy that allows you to visit with the IT staff and figure out what's best for you, your family, your personal situation and where you live in the state.

Vice Chairman Brandenburg: What you just said, that's the motion I'm going to make.

Representative Kempenich: Do you have a number now of what we're spending on legislators? What is an average or have you done some of that now already?

Jason Steckler: For the 2013-2015 budget we have \$177,000.00 for broadband connectivity and \$127,000.00 for mobile data reimbursement. It's about \$90.00/legislator per month.

Representative Kempenich: If we added this on this is another \$40.00?

Jason Steckler: The proposed amendment from Representative Steiner is \$152,000.00 additional; so that would be another \$40.00/legislator.

Representative Kempenich: I think we're going to have to get a broader policy that's more defined on what we're doing with this. We can appropriate some more funds to make that policy work; but I don't think we have the expertise or the knowledge of what we're doing here right now.

Representative Glassheim: Would you want to appropriate \$70,000.00 to \$80,000.00 to be released by the budget section after conferring with them?

Chairman Thoreson: Is that something we can do?

Jim Smith, Director, ND Legislative Council: The process that's been used before is legislative procedure and arrangements. They develop the policy and we rolled it out to legislators. I think we're headed toward some kind of a stipend program; where we provide a certain amount per legislator and they work with the IT staff to figure out what works best for them.

Representative Glassheim: How would we effectuate that during this interim? Would we have to wait until next session?

Jim Smith: Representative Steiner's amendment provides money for a certain device. If you just want to provide additional money, we would mention what's in the budget right now; and that would be compiled with what we currently have in the and LP&A would come up with a policy at the start of this interim.

Representative Glassheim: They could do this on their own initiative to set \$50.00 to \$100.00 per person?

Jim Smith: I believe they can. They've been delegated certain authority during the interim based on legislative management; there's also some sections of law that deal with that as well.

Representative Sanford: I would move that we increase that line item by \$150,000.00. What would you recommend Jim?

Jim Smith: Currently in our budget there's \$304,000.00 for reimbursement for broadband and data plans. Whatever you do in addition to that would provide additional money during the interim to provide additional devices.

Representative Sanford: I would move for that line item to be up to \$500,000.00.

Chairman Thoreson: Can you put in "up to" in there?

Jim Smith: We have to add a specific amount.

Representative Guggisberg: Wasn't the Steiner amendment for \$150,000.00; so we would be adding more than she asked for?

Vice Chairman Brandenburg: Seconded the motion.

Representative Kempenich: I'd like to make a second substitute motion to go to \$425,000.00. I don't think it's our job to make everybody whole.

Representative Guggisberg: Seconded the motion.

Voice vote made and carried.

Chairman Thoreson: I passed out a while a review of bills that other states do.

Representative Kempenich: It's a little more condensed version of the green sheet. A lot of people don't know what you're talking about when you talk about the green sheets. Maybe we should take one bill from the Senate and on from the House and run a test on how it works.

Chairman Thoreson: My idea was to take one committee from each chamber. I talked to the majority leader and he seemed to be in favor of that idea.

Representative Kempenich: The Agriculture committee would be the place to have that in as a test committee. I don't think you want to stick it in a large committee.

Chairman Thoreson: You might want to pick a bill that might be more complicated.

Representative Guggisberg: Could we tell them and we want you to look at this? We don't need to codify this do we?

Chairman Thoreson: I did speak with Representative Carlson who chairs legislative management and he was somewhat supportive of the idea of just doing a short test run next session.

Representative Glassheim: Are we going to do legislative intent?

Representative Kempenich: This is all changing how the legislature works on it. I think you should have a complicated bill that isn't pre-filed. If you have the staff it isn't an issue; but to figure out what kind of staff you need or how interns would handle it; the biggest thing would be how much time it would be to put it together in a timely manner.

Representative Sanford: I agree with Representative Guggisberg. I think it makes sense to put it on that other bill. I think there's great advantage to this. How would we attach this to that other study?

Chairman Thoreson: We could say "shall consider implementing a test pilot project to track".

Representative Glassheim: What if we had legislative intent language that the legislative council select three bills from each House to do a bill analysis similar to the Washington state bill analysis.

Chairman Thoreson: With the intent being that it mostly be done by the interns.

Representative Sanford: Seconded the motion.

Voice vote made and carried.

Vice Chairman Brandenburg: Made a motion to move amendment 13.8020.02001.

Representative Kempenich: Seconded the motion.

Representative Kempenich: When you advertise, what are your requirements for these fiscal analysts?

Jim Smith: What we require is a certified public accountant with at least 2 years of work experience; preferably in state government. That's our basic minimum.

Representative Kempenich: Do you have to follow HR's guidelines?

Jim Smith: Our positions are non-classified. We work with legislative management with those decisions.

Voice vote was made and carried.

Vice Chairman Brandenburg: Made a motion to adjust the salary compensation package.

Representative Kempenich: Seconded the motion.

Voice vote made and carried.

Representative Kempenich: Made a motion for a "Do Pass as Amended".

Vice Chairman Brandenburg: Seconded the motion.

Roll call vote made 7 Yeas 0 Nays 0 Absent

Chairman Thoreson: Carried the bill

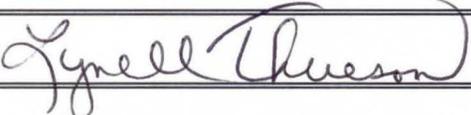
Chairman Thoreson: Closed the discussion.

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee Roughrider Room, State Capitol

SB 2001
4/11/13
Job 21115

Conference Committee



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

Minutes:

Attachment 1

Chairman Delzer called the committee back to order. We will try to get through SB 2001 and 2012, and do higher Ed bills tomorrow morning.

Representative Thoreson: You should have amendment .02007 for SB 2001. See attachment 1. He **moved** adoption of the amendment, seconded by Representative Brandenburg. Representative Thoreson then went through the amendment.

Chairman Delzer: Why is that part of the amendments?

2:05 Allen Knudson, Legislative Council: Because the increase in lodging reimbursement was added to this bill. They were broken into separate sections.

Representative Thoreson: Resumed explanation of amendment.

04:00 Chairman Delzer: In the past, this has been done once or twice; do you remember if everybody had to pay the increased amount for time they had already spent in places?

Knudson: If the other bill had gone through without the emergency clause then it would be effective August 1, and legislators could claim reimbursements at the higher rate.

Chairman Delzer: What about the issue where those of us have a motel for our current rate. If this passed with a retroactive clause they would bill us for that. Did that happen in the past?

Knudson: I'm not sure about the specifics.

5:39 Representative Nelson: The 75% of daily lodging reimbursement, was that an issue with the Senate? This is the same language that we set in the House right?

Chairman Delzer: Yes, we sent that bill over and it died 2-45.

Representative Nelson: Maybe the reason they didn't go for it there is that this is a huge increase percentage wise.

6:24 Representative Brandenburg: Last session we worked on trying to get that done and 75% was what is supposed to be.

Chairman Delzer: I believe that was two sessions ago, last session nothing happened. Originally it was done at 60, and then it was 65.

Representative Bellew: Where is there retroactivity on this?

Representative Thoreson: It is on page 4 of the amendment. Resumed explanation of the amendment.

14:45 Chairman Delzer: I don't know how to handle this one for sure. We can adopt and further amend, take a look at the different things in there.

Representative Thoreson: We chose to put it together because the policy-related items do impact the budget directly. Decisions we make could have a fiscal impact going forward.

Representative Wieland: On the top of page 3, section 8, 75% of what number?

Chairman Delzer: Of the federal GSA rate for the state or areas of the state.

16:04 Knudson: There is a formula in statute that OMB determines what the rate is in August of each odd numbered year right before the session based on the GSA rate and that's the formula of 75% the state employee rate times 30 days. The legislators' lodging is based on the state employee rate, which is 90% of the GSA rate.

Representative Wieland: I'm not keen on leaving that retroactive date in there, unless you want to use it for conference purposes.

Representative Thoreson: That is something we did pass in the House previously. At that time it did not carry.

17:22 Representative Brandenburg: Rates are unbelievable.

Chairman Delzer: Not all of us are doing that, it is a choice being made by each legislator.

Representative Brandenburg: We shouldn't have to spend money out of our pocket to stay here, some can and some can't.

Representative Wieland: I think that's the reason the Senate killed the bill when we sent it over there, primarily because of the retroactive date.

18:42 Representative Brandenburg: I think when we had discussion; there are ways to do it. When are we ever going to fix this?

Representative Glassheim: I intend to make a motion on this, but I will wait until we've adopted on the amendment.

Chairman Delzer: Further discussion on motion to amend SB 2001 with .02007?

19:51 Representative Wieland: The other issue I have is section 12, that legislative management study. I'm not sure we want to have that done. If it costs anything, I for sure don't want to see it done. I **move** to remove section 12 of amendment. Seconded by Representative Skarphol. Representative Wieland withdraws his motion.

A Voice Roll call vote to amend, vote uncertain.

A Roll call vote was taken. **Yes = 14, No = 7, Absent = 1.** Motion carried.

22:35 Representative Wieland: **moved** to further amend, seconded by Representative Skarphol to remove section 12 of the amendment, which is the management study.

Representative Wieland: This study should be made by someone in the medical or health department.

Representative Thoreson: This is a permissive study. The argument against it was it is something new and different, and we don't want to do something new and different. I am not being paid by the tobacco industry.

A Voice Roll Call vote: to amend by removing section 12 of the amendments. Motion carried.

26:28 Representative Bellew: **moved** to amend by removing section 11 of the amendment, seconded by Representative Skarphol.

Representative Bellew: If this is a start of a heavier session.

27:07 Representative Kempenich: I think some of the conversations are scary. It is a complicated issue last session, if we wouldn't have had the special session in November, our state would have been in a dysfunctional place. We're abdicating a lot of our authority to unelected people.

Representative Skarphol: I believe we're on day 65. There is no way we would finish in 70, and it's been many years since we have. I can't support putting ourselves under additional pressure.

Chairman Delzer: Further discussion on motion to amend to take out section 11 of the amendments?

A Roll Call vote: Yes = 13, No = 8, Absent = 1. Motion carries

30:22 Representative Skarphol: Tell me about section 13, what other states are doing this bill analysis?

Representative Thoreson: This is something that the state of Washington does. Florida does it. It gives a brief synopsis; I think it would be helpful for legislators. It does not show legislative intent because there is a concern it could be used in the future in any legal proceeding. It's just an analysis.

Representative Skarphol: Would this be done in advance, or as an analysis after the fact?

32:19 Representative Thoreson: It would be as it goes. They track it at the beginning of the session as introduced, and then update it through committee actions.

Chairman Delzer: We have the new bill tracking system; isn't there some description on the bills out there.

Knudson: There is the major topic index.

Chairman Delzer: What is under the bill tracking?

Knudson: I don't believe there is any summary there.

33:53 Chairman Delzer: Why put it in as legislative intent instead of going to the management committee and to the procedures and arrangements committee and just requesting this?

Representative Thoreson: I felt it was something we could discuss in the proceedings with this bill with the intent that they would consider it.

Representative Nelson: What is the justification for 3 more fiscal analysts, 3 new FTEs?

Chairman Delzer: I haven't been part of this discussion, but in my dealings with them this session they are very strapped.

Representative Thoreson: This was a separate amendment brought in by Representative Carlson, he thought we should put this idea forward. Because of the increased size of our budget and the workload that they have during session and even the times when we aren't here, that's why it was brought forward.

36:20 Representative Nelson: I don't discount that during legislative sessions there is quite a lot to be done, but three is quite an increase. We've had similar requests from agencies that could have a workload that's consistent with the growth in North Dakota.

37:01 Representative Kempenich: We have a separation of powers issue here. OMB does a good job of analyzing these budgets, but we also have a responsibility to ourselves. Our job is to represent the taxpayer, and we need some independent analysis of these budgets as they come forward. These issues are getting more complicated. This is a separation issue, nothing to do with agencies.

Representative Skarphol: How do we handle the situation where an organization that we as legislators want to reassess their financial situation and ask for increased rates? For example, NCSL, does the legislative management committee have the authority to make a decision whether to pay those increased rates?

38:55 Knudson: Yes they would, if we had included the funding in our budget authorized to pay those dues or memberships.

Representative Skarphol: I was at an organization called the Energy Council, and they were evaluating their situation. I **move** to put \$25,000 additional into the operating line for legislative council in order for legislative managements chairman to authorize people to attend the energy producing states meetings. And language included that would authorize the legislative management chairman and legislative management committee to authorize expenditures by leadership whether a majority or minority party within reason to cover the costs associated with hosting people in the state of North Dakota. Seconded by Representative Martinson.

41:55 Chairman Delzer: Do we normally name things in there?

Knudson: For the purpose of the amendment you indicate that.

Chairman Delzer: What about the language part on the covered cost? Would that be in the bill?

42:18 Representative Skarphol: There needs to be some type of notification given to OMBS to the authority because of the laws we have in place regarding entertainment.

Chairman Delzer: I think certain agencies are allowed some of that.

42:53 Knudson: The concern is the constitution doesn't allow providing gifts. The OMB policy allows for promotional items. There is an exception for the Department of Tourism. Our legal staff has looked at it and has some language that would provide that exemption.

Representative Skarphol: It would be for official things, and it would not be just for the majority party.

Chairman Delzer: I would hope you would consider it to be through leadership.

Representative Skarphol: Yes, but through both majority and minority leaders.

A Voice Roll Call vote: Motion carries.

Representative Grande: I heard that NCSL and CSG were having problems because of low attendance their events. They were also looking at charging some states more because we have more money. I want to make sure each state is being charged equally and if attendance is worth it, in membership to those if no one is attending.

Chairman Delzer: Is that information you have?

45:12 Knudson: We did gather some information of states that haven't paid or are not current on their dues. We could provide that. We get a letter in the fall indicating what our dues will be for the next two years.

Chairman Delzer: I sat on the CSG executive board once and the state weren't even as far as not being charged the same, I think it is by size of state.

Representative Thoreson: The Council of State Government dues are not in this budget, they are in OMB, HB 1015 on the other side. NCSL is in our budget.

47:12 Representative Glassheim: I **move** to remove section 15 the retroactive application. Seconded by Representative Boe. I don't like retroactive. We're free to choose what we want. I understand the argument it shouldn't be out of your pocket, but there are things available at the given rate.

48:59 Representative Martinson: as a Bismarcker, this has nothing to do with me. I really feel strongly that it shouldn't cost people to serve in the legislature. Everybody loses money to be here.

Representative Brandenburg: We all know the game. Why do we want to give it up? We need to get things done.

Representative Thoreson: I would also ask that if this is truly the issue with the Senate, we can discuss it with them in conference.

A Voice Roll Call vote: Motion failed.

52:00 Representative Thoreson: I **move a Do Pass as amended** on SB 2001, seconded by Representative Brandenburg.

Representative Thoreson: Went through the green sheets.

55:25 Chairman Delzer: It's one thing to be archived on the floor, showing it to the public is fine, archiving is wrong. I personally have a real problem with what it would do to committee action if we were live all the time. I think it would restrict people's ability or desire to speak what needs to be spoken.

Representative Skarphol: There are already video cameras in this room. They are not on right now. We do the public's business, and we do it in open meetings. All the things we do are recorded in minutes. I **move** that we not have on public video the committee meetings. Legislative intent that we don't have committee rooms archived and public access. To

remove the money to do it and to express Legislative intent that we would prefer that it be deferred until such time as a more appropriate venue can be figured out for it. Seconded by Representative Martinson.

Representative Thoreson: We are open and things are out in the open. This is being recorded as we speak.

1:00:13 Chairman Delzer: I can understand what you're saying, but that's exactly what we're worried about. There's a difference between having it recorded and a video recording of it being used.

Representative Nelson: I see a distinct difference between the ability to have audio and video coverage, and actually doing it than having the capability where this room, for example, could be used for a meeting that we would want to have that capability. If we chose as a legislative assembly not to allow it, we could still have the capability to do it and utilize it for other reasons.

Chairman Delzer: The capability is already in the Harvest and Roughrider rooms.

Knudson: Correct

Representative Williams: I agree with my chairman for the first time in a week.

Representative Skarphol: That is exactly the reason that I think it would be inappropriate that we video these things.

1:01:43 Representative Pollert: I think what happens in committee may not be correctly understood in the real world when that got out.

Representative Guggisberg: Although our meetings are open and public, in this time and age we have the technology, and maybe we should be using it. I have constituents that say they would like to come to Bismarck and testify, but they couldn't. Not everyone can come out here, especially if they work; I think this is a step in the direction the world is going.

A Voice Roll Call vote carries.

Representative Thoreson: I move a **Do Pass as amended and further amended.** Seconded by Representative Kempenich.

A Do Pass as amended Roll Call vote: Yes = 17, No = 4, Absent = 1. Carrier: Representative Thoreson.

*4 w/10
 1/12/13
 8/5/13*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to hosting out-of-state dignitaries;"

Page 1, line 3, replace "sections" with "subsections 1, 2, and 7 of section"

Page 1, line 3, after the second "and" insert "section"

Page 1, line 4, after "compensation" insert "and expense reimbursement; to provide for a legislative management study; to provide legislative intent"

Page 1, line 4, after the second semicolon insert "to provide for retroactive application;"

Page 1, replace line 18 with:

"Operating expenses	3,268,968	683,958	3,952,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$1,896,760	\$13,921,971"
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Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$7,574,331	\$989,695	\$8,564,026
Accrued leave payments		143,087	143,087
Operating expenses	3,305,520	548,007	3,853,527
Capital assets	<u>16,500</u>	<u>8,500</u>	<u>25,000</u>
Total all funds	\$10,896,351	\$1,689,289	\$12,585,640
Less estimated income	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Total general fund	\$10,826,351	\$1,689,290	\$12,515,641
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

"Grand total general fund	\$22,851,562	\$3,586,050	\$26,437,612
Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,586,049	\$26,507,611"

Page 2, replace lines 26 and 27 with:

"Information technology projects		<u>159,938</u>	<u>42,000</u>
Total general fund		\$2,242,706	\$542,000"

Page 4, remove lines 8 through 31

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 28

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

20/5

"SECTION 6. AMENDMENT. Subsections 1 and 7 of section 54-03-20 of the North Dakota Century Code are amended and reenacted as follows:

- 1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~fifty-seven~~sixty-two dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
- 7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~forty~~fifty-three dollars a month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~sixteen~~twenty-five dollars per month during the biennium for their execution of public duties.

SECTION 7. AMENDMENT. Subsections 1 and 7 of section 54-03-20 of the North Dakota Century Code are amended and reenacted as follows:

- 1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~sixty-two~~sixty-seven dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
- 7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~fifty-three~~sixty-seven dollars a month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~twenty-five~~thirty-five dollars per month during the biennium for their execution of public duties.

SECTION 8. AMENDMENT. Subsection 2 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

30/5

- 2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times ~~sixty-five~~seventy-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.
- b. Notwithstanding subdivision a:
 - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
 - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a."

Page 10, after line 17, insert:

"SECTION 11. A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

Legislative hosting of dignitaries.

The legislative management or the chairman of the legislative management may approve the hosting of out-of-state dignitaries on behalf of the legislative assembly and may authorize the majority and minority leaders of the senate and the house of representatives or their designees to assist in the hosting of such dignitaries. An expenditure for the purchase of items to promote or to host a dignitary under this section may not be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota. The provisions of chapter 44-08 do not apply to expenditures made under this section.

SECTION 12. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states."

Page 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

4/2/15

Page 10, after line 19, insert:

"SECTION 15. RETROACTIVE APPLICATION. Section 8 of this Act applies retroactively to January 1, 2013."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
Legislative Assembly				
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Legislative Council				
Total all funds	\$12,220,456	\$12,175,513	\$410,127	\$12,585,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$410,127	\$12,515,641
Bill total				
Total all funds	\$26,556,820	\$26,373,484	\$134,127	\$26,507,611
Less estimated income	69,999	69,999	0	69,999
General fund	\$26,486,821	\$26,303,485	\$134,127	\$26,437,612

Senate Bill No. 2001 - Legislative Assembly - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926
Capital assets	530,000	530,000		530,000
National Conf of State Legislatures	233,286	233,286		233,286
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
FTE	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of House Changes

	Adds Funding for Connectivity ¹	Removes Funding for Audio/Video ²	Total House Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			
National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee.

2/8/5

² One-time funding is removed for installing audio and video recording equipment in committee rooms. A section of legislative intent is added that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session.
- Increasing the monthly limit on legislative lodging reimbursement retroactively to January 1, 2013.

Senate Bill No. 2001 - Legislative Council - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,336,986	\$8,336,986	\$227,040	\$8,564,026
Operating expenses	3,858,470	3,813,527	40,000	3,853,527
Capital assets	25,000	25,000		25,000
Accrued leave payments			143,087	143,087
Total all funds	\$12,220,456	\$12,175,513	\$410,127	\$12,585,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$410,127	\$12,515,641
FTE	34.00	34.00	3.00	37.00

Department No. 160 - Legislative Council - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package ¹	Provides Separate Line Item for Accrued Leave Payments ²	Adds Fiscal Analyst Positions ³	Adds Funding for Energy Meetings ⁴	Total House Changes
Salaries and wages	(\$139,873)	(\$143,087)	\$510,000		\$227,040
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$139,873)	\$0	\$525,000	\$25,000	\$410,127
Less estimated income	0	0	0	0	0
General fund	(\$139,873)	\$0	\$525,000	\$25,000	\$410,127
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Removes funding for additional retirement contribution increases.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition.

A section is added authorizing the hosting of out-of-state dignitaries and the purchase of promotional items.

Date: 4/11/13
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2001**

House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 02007

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

Motion Made By Rep. Thoreson Seconded By Rep. Brandenburg

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Rep. Streyle	X	
Vice Chairman Kempenich	X		Rep. Thoreson	X	
Rep. Bellew	X		Rep. Wieland	X	
Rep. Brandenburg	X				
Rep. Dosch	X				
Rep. Grande	X		Rep. Boe		X
Rep. Hawken			Rep. Glassheim		X
Rep. Kreidt	X		Rep. Guggisberg		X
Rep. Martinson	X		Rep. Holman		X
Rep. Monson	X		Rep. Williams		X
Rep. Nelson	X				
Rep. Pollert	X				
Rep. Sanford	X				
Rep. Skarphol		X			

Total Yes 14 No 7

Absent 1

Floor Assignment _____

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

voice vote uncertain

motion carries

Date: 4/11/13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2001

House Appropriations 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 Rep. Wieland Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

*remove section 12 of amendment
Study to Legislative Intent*

voice vote carries

Date: 4/11/13
 Roll Call Vote #: 3

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2001**

House Appropriations 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 Rep. Bellew Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X		Rep. Streyle	X	
Vice Chairman Kempenich		X	Rep. Thoreson		X
Rep. Bellew	X		Rep. Wieland	X	
Rep. Brandenburg		X			
Rep. Dosch	X				
Rep. Grande	X		Rep. Boe		X
Rep. Hawken			Rep. Glassheim		X
Rep. Kreidt	X		Rep. Guggisberg		X
Rep. Martinson	X		Rep. Holman		X
Rep. Monson	X		Rep. Williams	X	
Rep. Nelson		X			
Rep. Pollert	X				
Rep. Sanford	X				
Rep. Skarphol	X				

Total Yes 13 No 8

Absent 1

Floor Assignment _____

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

remove section 11

Voice vote uncertain

motion carries

Date: 4/11/13
 Roll Call Vote #: 4

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2001**

House Appropriations 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 Rep. Skarphol Seconded By Rep. Martinson

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

voice vote carries

put additional \$25,000 on operating line to authorize LM to send people to Energy Producing states

include language to authorize LM to authorize expenditures associated with hosting people in ND

Date: 4/11/13
 Roll Call Vote #: 5

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2001**

House Appropriations 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 Rep. Glassheim Seconded By Rep. Boe

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

remove section 15 retroactive application
voice vote fails

Date: 4/11/13
 Roll Call Vote #: 6

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2001**

House Appropriations 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 Rep. Thoreson Seconded By Rep. Brandenburg

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

Substitute motion

Date: 4/11/13
Roll Call Vote #: 7

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2001

House Appropriations 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 Rep. Skarphol Seconded By Rep. Martinson

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

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

legislative intent not to have committee rooms archived
& public access
& remove the money
voice vote carrier

Date: 4/11/13
 Roll Call Vote #: 8

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2001**

House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 2008

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

Motion Made By Rep. Thoreson Seconded By Rep. Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Rep. Streyle	X	
Vice Chairman Kempenich	X		Rep. Thoreson	X	
Rep. Bellew		X	Rep. Wieland	X	
Rep. Brandenburg	X				
Rep. Dosch	X				
Rep. Grande	X		Rep. Boe		X
Rep. Hawken			Rep. Glassheim	X	
Rep. Kreidt	X		Rep. Guggisberg		X
Rep. Martinson	X		Rep. Holman	X	
Rep. Monson	X		Rep. Williams	X	
Rep. Nelson	X				
Rep. Pollert	X				
Rep. Sanford	X				
Rep. Skarphol	X				

Total Yes 17 No 4

Absent 1

Floor Assignment Rep. Thoreson

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

REPORT OF STANDING COMMITTEE

SB 2001, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to hosting out-of-state dignitaries;"

Page 1, line 3, replace "sections" with "subsections 1, 2, and 7 of section"

Page 1, line 3, after the second "and" insert "section"

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Page 1, replace line 18 with:

"Operating expenses	3,268,968	683,958	3,952,926"
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"Total general fund	\$12,025,211	\$1,896,760	\$13,921,971"
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Total general fund	\$10,826,351	\$1,689,290	\$12,515,641
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

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Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,586,049	\$26,507,611"

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Page 4, remove lines 8 through 31

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Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

"SECTION 6. AMENDMENT. Subsections 1 and 7 of section 54-03-20 of the North Dakota Century Code are amended and reenacted as follows:

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~fifty-seven~~sixty-two dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~forty~~fifty-three dollars a month, paid monthly.
 - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
 - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~sixteen~~twenty-five dollars per month during the biennium for their execution of public duties.

SECTION 7. AMENDMENT. Subsections 1 and 7 of section 54-03-20 of the North Dakota Century Code are amended and reenacted as follows:

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~sixty-two~~sixty-seven dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~fifty-three~~sixty-seven dollars a month, paid monthly.
 - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
 - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~twenty-five~~thirty-five dollars per month during the biennium for their execution of public duties.

SECTION 8. AMENDMENT. Subsection 2 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and

which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times ~~sixty-five~~seventy-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
- (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
 - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a."

Page 10, after line 17, insert:

"**SECTION 11.** A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

Legislative hosting of dignitaries.

The legislative management or the chairman of the legislative management may approve the hosting of out-of-state dignitaries on behalf of the legislative assembly and may authorize the majority and minority leaders of the senate and the house of representatives or their designees to assist in the hosting of such dignitaries. An expenditure for the purchase of items to promote or to host a dignitary under this section may not be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota. The provisions of chapter 44-08 do not apply to expenditures made under this section.

SECTION 12. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states."

Page 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

Page 10, after line 19, insert:

"**SECTION 15. RETROACTIVE APPLICATION.** Section 8 of this Act applies retroactively to January 1, 2013."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of House Action

	Executive Budget	Senate Version	House Changes	House Version
Legislative Assembly				
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Legislative Council				
Total all funds	\$12,220,456	\$12,175,513	\$410,127	\$12,585,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$410,127	\$12,515,641
Bill total				
Total all funds	\$26,556,820	\$26,373,484	\$134,127	\$26,507,611
Less estimated income	69,999	69,999	0	69,999
General fund	\$26,486,821	\$26,303,485	\$134,127	\$26,437,612

Senate Bill No. 2001 - Legislative Assembly - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926
Capital assets	530,000	530,000		530,000
National Conf of State Legislatures	233,286	233,286		233,286
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
FTE	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of House Changes

	Adds Funding for Connectivity ¹	Removes Funding for Audio/Video ²	Total House Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			
National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee.

² One-time funding is removed for installing audio and video recording equipment in committee rooms. A section of legislative intent is added that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session.
- Increasing the monthly limit on legislative lodging reimbursement retroactively to January 1, 2013.

Senate Bill No. 2001 - Legislative Council - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,336,986	\$8,336,986	\$227,040	\$8,564,026
Operating expenses	3,858,470	3,813,527	40,000	3,853,527
Capital assets	25,000	25,000		25,000
Accrued leave payments			143,087	143,087
Total all funds	\$12,220,456	\$12,175,513	\$410,127	\$12,585,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$410,127	\$12,515,641
FTE	34.00	34.00	3.00	37.00

Department No. 160 - Legislative Council - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package ¹	Provides Separate Line Item for Accrued Leave Payments ²	Adds Fiscal Analyst Positions ³	Adds Funding for Energy Meetings ⁴	Total House Changes
Salaries and wages	(\$139,873)	(\$143,087)	\$510,000		\$227,040
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$139,873)	\$0	\$525,000	\$25,000	\$410,127
Less estimated income	0	0	0	0	0
General fund	(\$139,873)	\$0	\$525,000	\$25,000	\$410,127
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Removes funding for additional retirement contribution increases.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition.

A section is added authorizing the hosting of out-of-state dignitaries and the purchase of promotional items.

2013 COFERENCE COMMITTEE

SB 2001

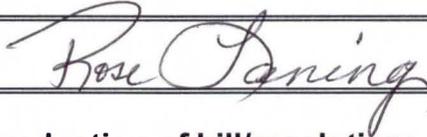
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2001 conference committee
April 19, 2013
Job # 21339

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; relating to legislative compensation and expense reimbursement; to provide legislative intent

Minutes:

*Statement of Purpose and
page 13 of amendment 13.8020.02008*

Legislative Council - Allen H. Knudson
OMB - Lori Laschkewitsch

Senator Carlisle opened the conference committee hearing on SB 2001. **Senators Holmberg** and **Mathern** were present as well as **Representatives Thoreson, Brandenburg** and **Guggisberg**.

Senator Carlisle: Asked them to explain the House changes.

Representative Thoreson: He addressed amendment .02008 that had language that was added dealing with the hosting of dignitaries. **Amendment Attached (1) and Statement of Purpose (2).**

Allen Knudson, Legislative Budget Analyst & Auditor Legislative Council: It is in the marked up version page 13.

Senator Holmberg: We had 1325 in the Senate and it didn't fare well. Was there any consideration or discussion about running such promotional things through the department of tourism? They have money for those things and could do it. Would that clearly negate any problem with section 18 of article 10?

Representative Thoreson: Said they didn't have a discussion about that idea to run it through tourism. We thought this would be a proper way, than leaders of both chambers would have the ability to go ahead and have the authorization to do this. No one wants to create a slush fund and this language was crafted to handle that issue. I can check back to see if it's amenable to other players but that is where this came from.

Senator Holmberg: When you visit with them, could it read something to the extent, "an expenditure to host a dignitary" and not put in those other words. If you were able to spend money to host a dignitary that might mean a little plaque saying, "Welcome to North Dakota".

Representative Thoreson: If the concern is that the language says "purchase of items", perhaps we can craft some language that works better. This was done during discussion and council put this together catching the flavor of the hope of the amendment.

Senator Mathern: Said that 1325 was defeated overwhelmingly. It would be fair to say that the section on page 13 is the same wording as HB 1325.

Representative Thoreson: What was the sense in the Senate of why it didn't pass? What were the issues causing its defeat on your side?

Senator Mathern: There was a history of sponsorship of activities by other groups and that in a small state like North Dakota it worked very well. Often times there are groups that want to help in this effort of hospitality. There were no problems there but the Senate is generally more conservative.

Representative Thoreson: Glad we established that. Regardless of the size of our state it's time to put in some language to deal with this. Continued going over the amendment on page thirteen, section twelve. (9:10-10:00)

Senator Carlisle: You are just saying to put a hold on it in the Harvest room because we are ready to go next session if it happens.

Senator Holmberg: Said that someone from legislative council could say more, but it's in there for more than just a legislative committee hearing. It has application for other kinds of things. Instead of someone coming in from Cincinnati you could be hooking up for that.

Jason Steckler, Director of Administrative Services Division Legislative Council: The equipment in Roughrider and Harvest room was designed only to capture and stream what is happening in that room but it can be used for other functions and other agencies that want to stream it out to other offices. It is currently not set up for two-way video conferencing. There is separate money in the budget to establish one room, the new conference room; we do want to give you a chance to do some video conferences. It was set up in Harvest and Roughrider for streaming.

Representative Brandenburg: It was shared in committee and sometimes we have a little fun in committee and if you get everybody looking at everything you're doing, not that we do anything wrong but someone could be found in a position. We're on camera on the floor but when you're in committee we sometimes joke around a little bit. It might be time to hold off and think about this.

Senator Carlisle: I was prepared for next session and we're fairly active in our committee. We're up and ready to go in the Harvest room.

Representative Guggisberg: In our subcommittee, we had an amendment on here to look at expanding the ability to testify from offsite and we brought it to the full committee and things spun out of control. We decided we needed to stop moving forward on this.

Representative Thoreson: I'm feeling the need to defend the position of the House but I feel we should have transparency. We are already doing this via audio and being recorded. I know there are strong feelings on the House side and we will probably have to go and discuss it with House and come to some resolution on this. Continues going over page thirteen, section 13. (14:00-16:40)

Senator Holmberg: Thirty years ago, we had analysis on yellow sheets, no more than one sheet. They were a re-cap of what you were talking about, they faded away 20 some years ago. This is similar to that except it utilizes technology rather than running off paper.

Representative Thoreson: This does have two pages but it will tell if there is a fiscal note, an appropriation, a summary of the bill. We would obviously use those and maybe it would help the public. Continues going over the Statement of Purpose and the actual dollars portion. (**Department 160 - Detail of House Changes**). (17:45-18:49)

Senator Carlisle: They have 6 open positions right now in council.

Representative Thoreson: There was an addition of \$25,000 for the increase in the operating expense line item and this would be costs for the meetings of the energy producing states coalition. This is a group that deals with the energy states. (19:12-19:55)

Senator Holmberg: Asked if this was an earmark or does this money go into the operating budget of the legislature for use throughout.

Representative Thoreson: Said he could defer to council to see how this would be handled but he sees it does say, specifically for this use.

Allen Knudson: In the budget we identify all the different meetings that we budget for and this was not one of them. That is why the funding was added, it would be part of the overall funding that we include for the various meetings.

Senator Holmberg: If they only needed \$21,000 and some other group needed another \$4,000, is it interchangeable or is it locked in?

Allen Knudson: Interchangeable.

Representative Thoreson: Then finally the other issue is the lodging reimbursement for legislators. It is on back of page eleven. This deals with amount paid for lodging, it would be seventy-five percent of daily lodging reimbursement. There are legislators who have had to pay out-of-pocket this session and previous sessions and this would change that going forward. Section fifteen is retroactive application that would apply to this section. (21:12-22:34)

Senator Holmberg: Asked if they could receive a document again on where the people are and what they are paying.

Representative Brandenburg: This is kind of the study that we've done \$800.00 x 4. When they go to the motels it is costing more. There are some people staying in housing. I don't think it's right that people come here and have to pay out of their own pocket to stay in motels. Some can find houses and some can't.

Senator Holmberg: There are legislators staying in hotels that only charge \$1351 a month too. We need to think about it.

Representative Thoreson: That would be good if we could get the document. Obviously we are down to the last seconds here.

Senator Carlisle: We will close the meeting.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2001 conference committee

April 24, 2013

Job # 21498

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; relating to legislative compensation and expense reimbursement. Conference Committee hearing.

Minutes:

Legislative Council - Allen H. Knudson

OMB - Lori Laschkewitsch

Senator Carlisle opened the conference committee hearing on SB 2001. **Senators Holmberg** and **Mathern** were present as well as **Representatives Thoreson, Brandenburg** and **Guggisberg**.

Senator Carlisle I handed out a memo, the subject came up where everyone is staying and the costs. Testimony attached #1. Legislator Session Lodging Reimbursement-Legislator Housing.

Representative Thoreson presented Testimony attached # 2 Hotel Bid Summary from the Bismarck-Mandan Convention & Visitors Bureau. As you can see there is quite a range, some legislators in there in sessions past, they were able to negotiate, that was your option, most places do not fall into the current amount that we are paying. We need to take a look at this, some way of reimbursing again. This is not a situation where anyone of us wants to be taking money and putting it in our pocket which is not the case, it's covering our bills. We did have this issue last session also and now we're faced with it again. There is some trepidation to use retro-active in the bill. There should be a way to address those that had to incur additional costs. I did have an amendment prepared with in some ways, do this. I don't know if this removes that wording but we could certainly move to further amend but, I will distribute for the committee.

Representative Thoreson Testimony attached # 3, amendment # 13.8020.02009.

Chairman Holmberg A closer glance of 18 hotels would suggest we look at the January lodging statistics, that only four of these hotels were used by legislators because they said

the highest voucher was \$1800. Yet practically every one of these is over \$2000, there is only 4 that are \$1800 or less. I was curious, how do those two things match?

Representative Thoreson: Some hotels had a cap on the number. I think the one cited, the America's Best Value Inn only took a maximum of 6 legislators and maybe a lot are staying in a very few of these locations. Some may have stayed at the lower end of the scale.

Chairman Holmberg There are a number staying at the Kelly Inn. I don't know if they limited it or what, but there is quite a number that are there.

Representative Thoreson I am at the Express Suites and while this number written here shows amount of over \$2000, actually I was there in the past, so I was able to get it for, basically the same as what the inn is for \$1800. Between the two locations the two Expressway locations, 8-12 legislators staying in those 2, because again it's kind of the lower end of what you would end up paying if your only option was a hotel. The amendment # 13.8020.02009 that I distributed is language that is similar to what was passed in the 2009 legislative session where there was a situation where some legislators were forced out of their hotels at the end of March and had to move into hotels because we went well into April. In fact I am pretty sure we used all of April. We did that year because it was the year of the flood. What that language said is that you could be reimbursed for the actual expenses at the state rate which would be. What I did was I used similar language which was passed that year and just saying that we could submit for actual expenses incurred for each day if you submitted a voucher indicating the actual amount expended for lodging. I guess it was my intention to then also remove the words retroactive. But I guess this would still say if you paid more during those days we would be able to submit to get that taken care of. Maybe move ahead and look at the future of going to the 75% of the GSA rate. So I guess for discussion purposes **I would move amendment 020009.**

2nd by Representative Brandenburg.

Chairman Holmberg I am looking for the language in the Constitution regarding expenses for legislators. There is some language regarding they should be paid expenses no more than any other state employee.

Jim Smith, Director, Legislative Council there is a provision in the Constitution that goes back to when the legislators were transitioned from the \$5 per day, to actual expenses. There is a limitation placed on legislators that they would only be paid the same expense reimbursement as state employees. So, that is why it's tied to that for hotels tied to that lodging limit that is in that other section that is referenced in that amendment. It's in 44. So basically that is the cap that legislators can receive is the daily rate for any other state employees.

Chairman Holmberg What is the daily rate for any other state employee?

Jim Smith Currently \$69.30 plus tax, roughly around \$77 a day.

Senator Carlisle How many that can't go over that?

Jim Smith That is correct.

Representative Thoreson I guess doing some quick math here, but you said \$77 roughly with tax included times 30 day equals \$2,310 per month. That would be the upper limit.

Senator Mathern For my part I just shopped until I found a place under our reimbursement money. If we are talking about the future, if we just reimburse by a stipend, they can go where they want, just let the market go, has that ever been considered?

Representative Thoreson I guess when we had our discussion on this, it was more focus to tying it to our number which was readily used and that is the GSA rate, since they survey the areas, is it annually they do the surveys or how often they do them? Currently we are at 65% of that rate, and go forward at 75% as the bill currently is with us.

Senator Carlisle The 2015 is \$1502 and 2013 is \$1351 I think is how we set that as it left the Senate. It's on the amendment.

Representative Brandenburg If you take the rate we are talking about here and use the 75% of that rate, it would be \$1732.50, somewhere in that area. That's why we are talking about the 75% to take care of that cost. Some have been staying in the same place for 5 or 10 sessions and some people can find a better place to stay for the rate. Not everybody can.

Senator Carlisle Aren't we at 65% now council, where are we at?

Chairman Holmberg Its 65% which is what we put in last time. **Senator Carlisle** \$1351 is what shows here. **Chairman Holmberg** And then right now, in the bill, what did you use for next year was it \$1502 two years from now.

Senator Mathern I guess to make a decision for the future, get back in rent, going retroactive is going to have negative ramifications for us, if we are going to spend more money get some cameras, more to the public and move ahead.

Representative Thoreson, If you look at the statistics, it shows about half are finding private, half in the hotels. The Bismarck hotels have done a good job here. I understand the word retroactive has some connotations to it, however, we are not talking about putting money in our pockets. In fact right now we're faced with the situation where quite a few of us had to take money out to be here. it's an honor to serve every day there's no doubt about that but I think that.

Senator Carlisle How would you do that Representative Thoreson?

Representative Thoreson The House has made our determination, this language that I am offering is what we have done in the last sessions. We could get rid of the language retroactive and use language which we have passed previously to fix the situation.

Senator Carlisle It doesn't actual mean retroactive, I mean they are going to get paid.

Representative Thoreson it does and again this is a situation where we've done this previously and so were not setting new precedence here we are fixing a situation where and I think we need to look moving forward so we don't get ourselves in this position again. We need to do something to correct where we were from the last time we adjourned.

Senator Carlisle All you folks are from out of town except me.

Senator Mathern This is not putting money in people's pockets. Are you saying, if this was approved checks would be written the hotels and it would not be written to legislators?

Representative Thoreson It already has been written to the hotels or credit cards. But right now there is a discrepancy between what was charged and what was set, and it's filling the gap where people would have to pay out of pocket. Right now they have already paid, quite a few of us have paid more. If there would be a way to pay it directly to the hotels I suppose we could look at that, but a lot of us have already paid those bills for the previous months. I am guessing in '09 session, where people paid out of pocket, and then were reimbursed for after the fact.

Chairman Holmberg One of the many years we looked at this issue, I paid \$1200 but I made an agreement that if the rate went up during the session, they would get the difference. That sounds a little tacky. The distinction there is a different class of people than the person who paid the \$1800. I don't know if there are any sweetheart deals out there, where you can get buy for \$1500 but if they raise it, you have to pay me x. I don't know that.

Senator Carlisle I would think that all the hotels were paid right so they don't have a dog in the hunt right?

Representative Brandenburg As we look at this issue, we are dealing with just the people who have paid out of pocket. We can make the decision. Those people who already have paid is not the issue. It's the one who paid out of pocket that need that to be reimbursed.

Senator Carlisle What I am saying the hotels shouldn't have an issue they should've already been paid. It is just certain legislators, right? It would to you folks who have extra out of pocket expenses but still go back whether you use the term retroactive it would be from day one the way I understand the amendment then.

Representative Brandenburg You know what we are trying to do is take care of those people that had added expense. People aren't going to continue to pay out of their pockets, some can afford it, and some say it's an impact on them, they come here to serve the people and do a good job and then they have to worry about giving \$200-300 dollars out of their own pocket, because they are staying at a hotel. At some time we have to resolve this issue.

Chairman Holmberg I certainly sympathize with the plight of the legislators. I would certainly not lose sleep if we would look at that percentage for next session, or go to 75 or go to what the expenses are for state employees which I believe was \$77.00. I will not be able to sleep if it goes back to January 1 of this year.

Representative Thoreson I don't know if the House has anything else to offer because we feel it is important to resolve the situation and so, I guess we will need to meet again.

Senator Carlisle closed the hearing on 2001.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee
Harvest Room, State Capitol

SB 2001
04-25-2013
Job # 21517

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A Conference Committee hearing for the Legislative Branch of Government

Minutes:

Senator Carlisle called the Conference Committee hearing to order on Thursday, April 25, 2013 at 11:30 am in the Harvest Room in regards to SB 2001. Let the record show that all conferees are present.

SENATE: Senators: Ron Carlisle, Chair; Ray Holmberg, Tim Mathern
HOUSE: Representatives: Blair Thoreson, Mike Brandenburg, Ron Guggisberg

Lori Laschkewitsch - OMB
Allen H. Knudson - Legislative Council

Senator Carlisle: Do you have any thoughts.

Senator Holmberg: I wonder if the House conferees would like the following suggestion to move us off the dime. First that on the FTE's if you would be willing to add 2 fiscal analysts and allow the Legislative Council, knowing that they are not going to hire because they are looking for 2 right now, they aren't going to hire 4 right now but they need these new people to be on board and trained prior to the next session if we would allow them to give us a schedule of what would work for them regarding the employees. (1:35)

Representative Thoreson: So there would be two employees, instead of 3?

Senator Carlisle: And there are two openings now.

Jim Smith, Director Legislative Council: We have 4 other positions that are open.

Senator Holmberg: We would ask them to tell us what would make sense. I think we should listen to them. (2:33)

Senator Carlisle: We are talking 4 FTE's in play right now.

Allen H. Knudson: You mentioned this earlier, doing one this fall and one next spring, we'd like a number of months before next session to prepare and those kinds of things. By October 1, 2013 and the other one by April 1, 2014.

Senator Holmberg: Wouldn't it be cleaner rather than putting dates in to authorize the 2 FTE during the next biennium and then have you shave off some of the money so that we'd be paying them.

Representative Brandenburg: So instead of 3 FTE's you're talking 2 FTE's.

Senator Carlisle: We would let the council figure out so they have the authority and the money. Then, the 75% on housing did everyone kind of buy off on this money for these vacant areas? We are going to roll that in to somewhere, what were we going to do?

Senator Holmberg: We had a bill that was killed, one of the sponsors talked against it.

Senator Carlisle: Weren't we looking at the 25 but putting it in whatever fund so it wasn't like a separate...

Senator Holmberg: One point was maybe tourism might be the one.

Senator Mathern: I think the Senate defeated the bill that had that wording. We would have to change something here or it wouldn't pass the Senate. (7:33)

Senator Holmberg: Let's say some money was put in to the tourism budget which has no problem preparing little packets etc. that legislative management access for visiting dignitaries.

Senator Carlisle: What would the House think about having the money? I don't really have a problem with that.

Representative Brandenburg: We do have some people come here sometimes, you want to treat them right, you want to have some kind of budget to treat them right.

Senator Carlisle: They use the term for purchase of promotional items I don't think that would be in housing would it? What does everybody think about putting it in the tourism and let them handle it? They put the state's best interest forward.

Representative Thoreson: The people we elect to leadership certainly would be responsible in doing things.

Senator Holmberg: Is there any restriction now with the funding that tourism has for the legislative management to ask for cups, etc. Is there anything that would stop that now?

Jim Smith: Tourism can provide limited gifts or a package, what is envisioned here is hosting, which might include meals, rather than go to a third party.

Representative Thoreson: Representative Skarphol had some good ideas about this issue.

Senator Carlisle: It's way down my priority list.

Representative Thoreson: We'll check on it.

Senator Holmberg: It has to be in such a manner that it doesn't run into the same buzz saw that we ran in to in the Senate which included the sponsor of the bill saying this is terrible.

Senator Holmberg: What does the governor do when he is hosting?

Representative Thoreson will check.

Senator Holmberg: If there is a parallel that we can use as a model so we can move forward.

Senator Mathern: Senator Wardner asked us not to pass it.

Senator Holmberg: What were the arguments against it?

Senator Mathern: The discussion on the floor was the propriety of it in terms of scrutiny. And the other thing there has been a long tradition of actual private organizations wanting to do this sort of thing.

Senator Holmberg: One always has to be cognizant of how things look and although the term slush fund wasn't used, I believe there were folks who were thinking that in the back of their minds. (15:38)

Representative Thoreson: I understand what happened with the WSI situation, if we truly had a searchable data base or we could have a report prepared that would be easily accessible to the public to have a look at what is being spent on this.

Senator Carlisle: How about that \$25,000 for the energy producing states coalition?

Senator Holmberg: Put that money into the operating budget, it is to allow it to be spent there.

Representative Gugissberg: They would also like us to discuss number 2 in section 8, basically its saying if you rent a house you might get less reimbursement than if you stay in a hotel room if there is 2 or more legislature in the house. I don't understand the reasoning behind that. If people are paying \$200 out of their pocket now, people are just trying to get by staying in a house, why not let them.

Senator Holmberg: There was discussion a few years ago about appearance and I never saw anything that was any smoking guns but the discussion was somebody's friend went south and 3 legislators moved in to the house during session and each paid the maximum.

Representative Gugissberg: Is correct, are we paying a legislator or is the money going for that legislator's accommodations. It's for the accommodations.

Representative Gugissberg: I think if we wanted a report that might be reasonable.

Senator Carlisle closed the conference committee.

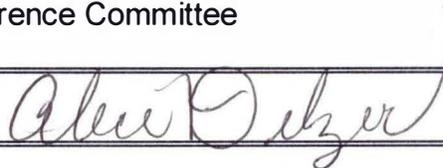
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2001 conference committee
April 26, 2013
Job 21562

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; relating to legislative compensation and expense reimbursement; to provide legislative intent.

Minutes:

You may make reference to "attached testimony."

Legislative Council - Allen H. Knudson and Jim Smith and Jason Steckler
OMB - Lori Laschkewitsch

Senator Carlisle opened the conference committee hearing on SB 2001. **Senators Holmberg** and **Mathern** were present as well as **Representatives Thoreson, Brandenburg** and **Guggisberg**.

Senator Carlisle presented testimony attached # 1 Amendment # 13.8020.02012.

Chairman Holmberg: I would move we adopt amendment 02012.

Seconded by **Senator Mathern**.

Chairman Holmberg: A lot of this we talked about in committee, section 10 regarding archiving and videoing, the big difference is the 3rd fiscal analysts, and it will be up to them as far as the hiring process, knowing that they will want to be adequately trained before next legislative session. The bill with these amendments would remove retroactivity and increase the rate to 70% for the GSA rate. Our leader didn't want the 70%, but he would go with it, and then the section for \$25,000 for hosting, that is not in this particular amendment.

Rep. Brandenburg: Testimony attached # 2. (An estimate of expenses for housing for a session for the legislators)

Chairman Holmberg: I can't go beyond the 70% personally. We had to chatter hard to get the 70%.

Senator Carlisle: For the House, we have to sell the 70% on the floor.

Rep. Thoreson: In our discussions we had yesterday we were moving toward 75%, and now that is off the table. We heard repeatedly this session, the impact on housing. I think that is why the rates have gone up here.

Chairman Holmberg: They were not happy with 70%. (leadership)

Rep. Thoreson: The GSA rate we pay for other employees of the state, why are we in this position?

Chairman Holmberg: This was put together and fully vetted last session in policy committee, and they were the ones going to the GSA rate because it has flexibility and they felt 2 years ago that 65% was a reasonable discussion point. We are moving \$261 a month above what would be projected for next year.

Rep. Thoreson: Another issue, this amendment takes out the out of state dignitaries. I had a visit with OMB and the Governor's Office and apparently they have authority to designate agencies as a promotional agency or authority. It allows some money from the operational line to be spent for small gifts and that type of thing. They said we could possibly do the same thing here, declare ourselves a promotional authority. (10:51)

Chairman Holmberg: When we bring in someone to present, we have paid hotels and that kind of thing. I don't know what hosting means specifically. I went to an economic congress, there were speakers and their expenses were taken care of.

Senator Carlisle: Where is the push coming from?

Rep. Thoreson: From our former speaker, we should have some limited ability to do so, not creating any kind of a 'slush fund' or anything. I know there are concerns about what happened with WSI, but this is a separate thing, were agencies can become a promotional agency and do this. (13:14)

Rep. Guggisberg: The biggest concern is it's very transparent. The concern is we give gifts to some and not others. It needs to be very transparent where the public can see what the money is being spent on.

Senator Carlisle: You folks come up with some super transparent language. You are okay with the rest of the language?

Rep. Thoreson: I have heartburn over the 70% and I have an issue with removing the video. I just want it on record that I would rather see us move forward having video in the committee rooms. I think it adds a level of openness.

Senator Mathern: I am not in favor of section 10. I like the rest of the amendments. An idea that I would have in terms of the gift would be some added way of making sure it's not just transparent but it doesn't have any smell of politics is that we have both the Senate leader, Democrat and Republican, and the House Democrat and Republican have to agree. They all have to agree on a gift.

Senator Carlisle: We have a question on section 10 and a question on the dignitaries.

Rep. Thoreson: I will still need to go back to the House and convince them on the 70% since the retroactive is gone.

Senator Carlisle dismissed the conference committee.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2001 conference committee
April 27, 2013
Job # 21577

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; relating to legislative compensation and expense reimbursement; to provide legislative intent

Minutes:

You may make reference to "attached testimony."

Legislative Council - Sheila M. Sandness &
OMB - Lori Laschkewitsch

Senator Carlisle opened the conference committee hearing on SB 2001. **Senators Holmberg** and **Mathern** were present as well as **Representatives Thoreson, Brandenburg** and **Guggisberg**.

Senator Carlisle on proposed amendments - the \$25,000 gift and discussion on audio or streaming.

Rep. Thoreson: I brought up that OMB has authority to establish promotional agencies. Looking back at the language, which was in our original amendments from the House there was Section 11, but it says LM or the chairman may approve the hosting of out of state dignitaries on behalf of the Legislative Assembly and they authorize the hosting -- exempting us of gifting. Maybe we'd have to tweak it a bit. But it still allows leadership to do this and certainly not to buy everyone something. I think we're putting all in the budget section now.

Senator Carlisle: As long as it's transparent and there's not an inkling of somebody having a problem with it. We need some language that everyone can live with it.

Rep. Thoreson - It's for small purchases only or reasonable amount. And the general public can review it and have their comments on it.

Senator Mathern I wouldn't agree to the language. There has to be an equal basis for majority and minority to approve. If they don't agree that doesn't happen. That would make it open to this idea.

Rep. Thoreson We have a Director of Legislative Management and they'd work with both parties so we're being fair to all parties. I think we're okay to keeping it under the Chairman of Management.

Senator Carlisle: How about have agreement of 4 leaders? Then everyone knows and we have a food source to follow right down.

Rep. Thoreson So for each purchase of every item you'd have four people sign off on it, is that where we're going? We already have a structure in place in Legislative Management, and the Chair of Legislative Management, I think that would be opening up new territory.

Senator Carlisle Would we have an amount before we get folks involved the management or how do we do that? There's got to be a way to do it so everybody is comfortable, if we want to do it? I'll buy into the \$25 as long as.

Rep. Thoreson: There may be some dollars there in amount and defer to our management here, Mr. Jim Smith.

Jim Smith, Legislative Council: The \$25,000 was never discussed on this particular part of the original bill 1325 had \$4,000. **Rep. Thoreson** So if the Senate wants to go up to \$25,000 we are just fine with that. **Jim Smith** The \$25,000 was in reference to that money that was added for the Energy council meeting in June. **Senator Carlisle** That is separate right now. We're okay with the \$25,000 on that. **Jim Smith** So, what we're talking about and I did some work on a section that I could throw out something here legislative promotional expenses. Says" legislative management may approve a legislative promotional expense on behalf of the Legislative Assembly. All expenditures will presume to the section shall be reported to legislative management. LM would decide or the Chairman would have a discussion about the policy regarding what they want to do on this. There would be a reporting back of any money spent.

Senator Carlisle Then the figure would go back to \$4000 that we don't the \$25,000?

Jim Smith I don't know what we're talking in terms of gifts but I don't think it would be near \$4,000.

Senator Holmberg If we're talking about \$4000 without worrying about putting in a line item for everyone to look at. If you put the authorization in with the exemption, then have Legislative Management determine the policy on how it is rather than us trying to write a policy.

Rep. Guggisberg I read the language wrong the first time. I thought that what it said was what you guys, the Senate had proposed, was that both leaders from both Chambers would agree on this before we spent and if we're just leaving it up to Legislative Management, or Director of Legislature Management, then it is a slush fund because one person is deciding where the money is going to go. If we go forward like this, it would have to be very accountable and very open to the public.

Rep. Thoreson There best judgment would be to keep it transparent.

Senator Carlisle If someone has a question - the meetings are open.

Rep. Guggisberg I'll make it more transparent.

Jim Smith Whatever you choose to do?

Senator Mathern I'd like to see it in writing.

Senator Holmberg How about when we get done - get council to write amendments and we'll look at them again on Monday?

Senator Carlisle A short meeting Monday to approve.

Jim Smith - No dollar amount, but the meetings are open.

Senator Holmberg See, if there's a conference...

Rep. Thoreson moved to adopt language drafted by Council along with the guidelines proposed by Mr. Smith to allow management or their designee to do this and there would also be a reporting process of itemized expenditures so we know exactly what it was for, who it was to and how much it was.

Rep. Brandenburg seconded

Senator Mathern: The problem is that one person is still making this decision - from one political party and will have difficulties. I'll vote no.

Rep. Thoreson: There is a majority and minority party and we each have our representatives elected to management and hopefully they can use their best judgment on this.

Senator Holmberg: I'll vote for this and we'll get language together but if anyone of us was in the chair, they would want accomplices if they were going to do something that could be construed as untoward. I would want fingerprints from all four political parties.

Voice vote - majority approved.

Rep. Brandenburg: Talking about the audio and video recording - we're looking in the bill at section 12. Take that language out of there and leave it up to legislative management to make the call.

Senator Carlisle: If they want to do it fine.

Rep. Thoreson: What our language originally did from the House - our intent was to tell management not to proceed, so if we take that out, it still gives them the authority to do so.

Jim Smith: That's true, but it was tied to the money, so if we don't have the money, it's probably not going to happen.

Rep. Thoreson: Is there money for remodeling still in here? I spoke with Rep. Carlson said they'd try to find some places to use it if we decided to go ahead with this.

Jim Smith: There's money for legislative wing improvements in the budget that could be used for this - as long as what you're saying is that we can't.

Senator Carlisle: The proposal is that Legislative Management will make the call. There is money. It's section 10 of the amendments that are lying on the table right now. We can go to .02012 - the amendment I proposed yesterday.

Rep. Thoreson: On the first page - Section 10. Our motion would be to remove that language all together.

Rep. Brandenburg moved that we remove section 10 of amendment .02012, and that we would leave it up to legislative management. By removing this, it would give them that authority.

Rep. Thoreson seconded the motion.

Senator Holmberg said it's the same language we put in DOT for the license plate. Let Legislative Management determine how they're going to do it rather than us forbidding them from doing something that they may or may not want to do.

Rep. Guggisburg: The difference between this and license plates is that we put \$6M in the budget for license plates. I'm concerned that if we don't put money in for this, it might not go forward. My question for council is do we have a plan and if we take this section out, will we go forward with that plan?

Jim Smith: On age three of the amendments - on the footnote, if the intent is to remove the money, where we say onetime funding is removed for that project, we would take out the reference to the section because that would go away, but we'd add language that funding would be available through legislative wing improvements.

Senator Mathern said he'd be comfortable with that change - taking out the negative intent and the note changes on page 3 which we'd proceed with the plan using the resources in the other section.

Voice vote approved.

Senator Carlisle stated that he still shows 70% and no retro on page 3 of the amendment - the sections are added. It shows a bill analysis pilot project and then the limit that's going from 65% to 70% effective in 2015.

Senator Holmberg: It would be effective the date of the act.

Senator Carlisle: There wouldn't be any retro.

Rep. Brandenburg: We've talked to this to death, but we understand where everyone is at. Let's go with 70% then.

Senator Carlisle: It's already in there. OK, so it's this amendment with the changes - and we'll meet on Monday to look at them.

Senator Holmberg asked if they could be emailed a copy.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee
Harvest Room, State Capitol

SB 2001 Conference Committee
April 29, 2013
Job # 21587

Conference Committee



Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; relating to legislative compensation and expense reimbursement; to provide legislative intent

Minutes:

Attachment

Legislative Council - Allen H. Knudson & Jim Smith
OMB - Lori Laschkewitsch

Senator Carlisle opened the conference committee hearing on SB 2001. **Senators Holmberg** and **Mathern** were present as well as **Representatives Thoreson, Brandenburg** and **Guggisberg**.

Allen H. Knudson explained the changes in amendment 13.8020.02013. See attachment #1. They removed Section 10, the part concerning the audio/video in the committee rooms. (Ends at 02:00)

Jim Smith, Legislative Council: We have \$500,000 to work with.

Representative Guggisberg: I thought there would be language in there that we would go forward with this project. Now I'm finding out that there is only \$500,000 available. There was \$400,000. That is 80% of that budget we would be using for this. I'm concerned that there might be a reason to not go forward with this if there are other things needed.

There was discussion about which rooms were already wired.

Senator Mathern: The \$500,000 probably has other uses already anticipated. If not, we would like to hear that from Mr. Smith. If there's \$500,000 and no other use than the video streaming and the cameras, then I can see it but if there are other uses planned, we are permitting it, but do not have the money to do the work. If that is the case we should add a few dollars to make it an option. What other uses are anticipated for that \$500,000?

Jim Smith: In January we provided some possible uses of that. The House and Senate chamber sound systems need to be replaced. The Senate Conference Room table, chairs, and technology needs to be upgraded. Potentially the Brynhild Haugland room needs

upgrading. The Legislative Council library may be remodeled for additional office space. The press studio is also a potential.

Senator Mathern: That list is very full and it would appear that it would be easy to say we won't go ahead with these projects because there's not enough money. Could we just add some money?

Senator Carlisle: The things just mentioned - none of those are "must haves".

Jim Smith: The House and Senate chamber sound systems do need to be done. The Senate Conference Room needs to be upgraded.

Senator Holmberg: It will be used to take down all the wiring in the ceiling; it used to be the telephone room. The LP&A committee will prioritize the items.

Jim Smith: \$397,000 should be for all the rooms plus the additional server space to archive the video/audio for standing committees.

Senator Holmberg: So there would be nothing precluding the LP&A committee to say that this is what we must do. We don't want to be unhappy with what we did. They could do a couple rooms and phase them in.

Representative Guggisberg: I think we have already piloted it and some interim committees have used it.

Jim Smith: We just installed the video equipment in the two rooms, but they have not been activated or used up to this point.

Representative Thoreson: I supported the video in committee rooms. Removing the language gives the management the opportunity to do this. We can work with what we have right now.

Senator Holmberg: What would the acceptance be on? Leaving it as it was and adding another \$100,000 for that kind of work?

Representative Thoreson: We'd need to get some guidance on that. We understood that these amendments had been agreed to.

Senator Holmberg: If we adopt the amendments and not anything else, if there is support for adding money...

Representative Thoreson: I'd be comfortable with removing the language and allowing management to make the changes as necessary. We have a wish list but not a prioritized list. This might be something that moves to the top.

Representative Guggisberg: I think the sound system is important in the chambers. Another thing we didn't testify to is that they added three fiscal analysts and there will be a need to make some office space for them. There are other costs. If we don't add some

money in there showing our support for this project I am afraid it will get left on the cutting room floor. I was going to float \$250,000. At least \$100,000 would send a message that this project is important and we need to move forward with it.

Senator Carlisle: We'd support \$100,000 but not \$250,000.

**Senator Holmberg moved to accept amendment 13.8020.02013
Representative Thoreson seconded the motion.**

**Senator Mathern said he'll vote no and moved a substitute motion to add an additional \$100,000.
Rep. Brandenburg seconded the motion.
Voice vote on the substitute motion failed.**

Senator Holmberg: It will depend on the priorities.

Allen H. Knudson: We have line item transfer ability.

Senator Carlisle: That's a big caveat.

**Voice vote on amendment.
Voice vote carried.**

**Senator Holmberg moved that the House recedes from the House amendments and further amends.
Representative Thoreson seconded.**

**Senators:
Carlisle - Yes
Holmberg - Yes
Mathern - No**

**Representatives:
Thoreson: Yes
Brandenburg: Yes
Guggisberg: No**

A roll call vote was taken. Yea: 4 Nay: 2 Absent: 0

Carriers will be Senator Carlisle and Rep. Thoreson.

(The audio ends at 16:15)

JB
4-29-13
lot 4

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1516-1521 of the Senate Journal and pages 1594-1598 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to promotional expenses;"

Page 1, line 4, after "compensation" insert "and expense reimbursement; to provide legislative intent"

Page 1, replace line 18 with:

"Operating expenses	3,268,968	683,958	3,952,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$1,896,760	\$13,921,971"
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Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$7,574,331	\$1,086,529	\$8,660,860
Accrued leave payments	0	143,087	143,087
Operating expenses	3,305,520	548,007	3,853,527
Capital assets	<u>16,500</u>	<u>8,500</u>	<u>25,000</u>
Total all funds	\$10,896,351	\$1,786,123	\$12,682,474
Less estimated income	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Total general fund	\$10,826,351	\$1,786,124	\$12,612,475
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

"Grand total general fund	\$22,851,562	\$3,682,884	\$26,534,446
Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,682,883	\$26,604,445"

Page 2, replace lines 26 and 27 with:

"Information technology projects	<u>159,938</u>	<u>42,000</u>
Total general fund	\$2,242,706	\$542,000"

Page 3, line 18, replace "54-16-05" with "54-16-04"

Page 4, line 24, overstrike "sixty-five" and insert immediately thereafter "seventy"

Page 7, line 15, replace "sixty-five" with "seventy"

Page 10, after line 17, insert:

"SECTION 10. A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

Legislative promotional expenses.

The legislative management shall establish a policy regarding promotional expenses made on behalf of the legislative assembly. Any expenditure made pursuant to this section must be reported to the legislative management. An expenditure under this section may not be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Legislative Assembly						
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Legislative Council						
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
Bill total						
Total all funds	\$26,556,820	\$26,373,484	\$230,961	\$26,604,445	\$26,507,611	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$26,486,821	\$26,303,485	\$230,961	\$26,534,446	\$26,437,612	\$96,834

Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759	\$9,205,759	
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926	3,952,926	
Capital assets	530,000	530,000		530,000	530,000	
National Conf of State Legislatures	233,286	233,286		233,286	233,286	
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes

	Adds Funding for Connectivity ¹	Removes Funding for Audio/Video ²	Total Conference Committee Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			
National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee, the same as the House version.

² One-time funding is removed for installing audio and video recording equipment in committee rooms, the same as the House version. A section of legislative intent added by the House that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session is removed. The Legislative Procedure and Arrangements Committee may use funding available for legislative wing improvements to install audio and video recording equipment in committee rooms.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session, the same as the House version.
- Increasing the monthly limit on legislative lodging reimbursement from 65 to 70 percent of the state employee daily rate. The House had increased the rate to 75 percent of the state employee daily rate retroactively to January 1, 2013. The Senate did not change the current 65 percent rate.

Senate Bill No. 2001 - Legislative Council - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,336,986	\$8,336,986	\$323,874	\$8,660,860	\$8,564,026	\$96,834
Operating expenses	3,858,470	3,813,527	40,000	3,853,527	3,853,527	
Capital assets	25,000	25,000		25,000	25,000	
Accrued leave payments			143,087	143,087	143,087	
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
FTE	34.00	34.00	3.00	37.00	37.00	0.00

Department No. 160 - Legislative Council - Detail of Conference Committee Changes

4 of 4

	Adjusts State Employee Compensation and Benefits Package ¹	Provides Separate Line Item for Accrued Leave Payments ²	Adds Fiscal Analyst Positions ³	Adds Funding for Energy Meetings ⁴	Total Conference Committee Changes
Salaries and wages	(\$43,039)	(\$143,087)	\$510,000		\$323,874
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
Less estimated income	0	0	0	0	0
General fund	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees, the same as the House version.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment, the same as the House version.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition, the same as the House version.

A section added by the House authorizing the hosting of out-of-state dignitaries and the purchase of promotional items is changed to require the Legislative Management to establish a policy regarding promotional expenses.

Date 4-27-13

Roll Call Vote # 1

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2001 as (re) engrossed

Senate Appropriations Committee

- Action Taken
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amends
 - HOUSE recede from House amendments
 - HOUSE recede from House amendments and amends as follows

Unable to agree, recommends that the committee be discharged and a new committee be appointed

adopt languages written by reporting process

Motion Made by: Thoreson Seconded by: Branden

Senators				Yes	No	Representatives				Yes	No
<i>Sen. Carlisle</i>						<i>Rep. Thoreson</i>					
<i>Holmberg</i>						<i>Brandenburg</i>					
<i>Mather</i>						<i>Huggisberg</i>					
Total Senate Vote						Total Rep. Vote					

Vote Count Yes: _____ No: _____ Absent: _____
voice vote approved

Senate Carrier _____ House Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Date 4-27-13

Roll Call Vote # 2

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2 as (re) engrossed

Senate Appropriations Committee

- Action Taken
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amends
 - HOUSE recede from House amendments
 - HOUSE recede from House amendments and amends as follows:

Unable to agree, recommends that the committee be discharged and a new committee be appointed

*remove section 10 of
.02012*

Motion Made by: Brandenburg Seconded by: Thomson

Senators				Yes	No	Representatives				Yes	No
Total Senate Vote						Total Rep. Vote					

Vote Count Yes: _____ No: _____ Absent: _____
voice vote approved

Senate Carrier _____ House Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Date 4-29-13

Roll Call Vote # 1

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2001 as (re) engrossed

Senate Approve Committee

- Action Taken
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amends
 - HOUSE recede from House amendments
 - HOUSE recede from House amendments and amends as follows

Unable to agree, recommends that the committee be discharged and a new committee be appointed

*moved amendment
13,8020.02013*

Motion Made by: Holmberg Seconded by: Thoreson

Senators				Representatives			
		Yes	No			Yes	No
<i>Sen. Carlisle</i>				<i>Rep Thoreson</i>			
<i>Holmberg</i>				<i>Brendenburg</i>			
<i>Mather</i>				<i>Guggisberg</i>			
Total Senate Vote				Total Rep. Vote			

Vote Count Yes: _____ No: _____

Absent: *vote carried*

Senate Carrier _____ House Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Date 4-29-13

Roll Call Vote # 2

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2001 as (re) engrossed

Senate Appropriations Committee

- Action Taken
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amends
 - HOUSE recede from House amendments
 - HOUSE recede from House amendments and amends as follows

Unable to agree, recommends that the committee be discharged and a new committee be appointed *TM add 100,000 to line item.*

Motion Made by: Matheis Seconded by: Brandenburg

Senators				Yes	No	Representatives				Yes	No
<i>Sen Carlisle</i>						<i>Rep Thoreson</i>					
<i>Holmberg</i>						<i>Brandenburg</i>					
<i>Matheis</i>						<i>Huggisberg</i>					
Total Senate Vote						Total Rep. Vote					

Vote Count Yes: _____ No: _____ Absent: _____

Senate Carrier _____ House Carrier failed

LC Number _____ of amendment

LC Number _____ of engrossment

Date 4-29-13

Roll Call Vote # 3

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2001 as (re) engrossed

Senate Approps Committee

- Action Taken
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amends
 - HOUSE recede from House amendments
 - HOUSE recede from House amendments and amends as follows:
 - Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Holmberg Seconded by: Thoreson

Senators				Representatives			
		Yes	No			Yes	No
<u>Sen. Carlisle</u>		✓		<u>Rep. Thoreson</u>		✓	
<u>Holmberg</u>		✓		<u>Brandenburg</u>		✓	
<u>Natkech</u>			✓	<u>Guggisberg</u>			✓
Total Senate Vote		2	1	Total Rep. Vote		2	1

Vote Count Yes: 4 No: 2 Absent: 0

Senate Carrier Carlisle House Carrier T. Thoreson

LC Number _____ of amendment

LC Number _____ of engrossment

REPORT OF CONFERENCE COMMITTEE

SB 2001, as engrossed: Your conference committee (Sens. Carlisle, Holmberg, Mathern and Reps. Thoreson, Brandenburg, Guggisberg) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1516-1521, adopt amendments as follows, and place SB 2001 on the Seventh order:

That the House recede from its amendments as printed on pages 1516-1521 of the Senate Journal and pages 1594-1598 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to promotional expenses;"

Page 1, line 4, after "compensation" insert "and expense reimbursement; to provide legislative intent"

Page 1, replace line 18 with:

"Operating expenses	3,268,968	683,958	3,952,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$1,896,760	\$13,921,971"
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Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$7,574,331	\$1,086,529	\$8,660,860
Accrued leave payments	0	143,087	143,087
Operating expenses	3,305,520	548,007	3,853,527
Capital assets	<u>16,500</u>	<u>8,500</u>	<u>25,000</u>
Total all funds	\$10,896,351	\$1,786,123	\$12,682,474
Less estimated income	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Total general fund	\$10,826,351	\$1,786,124	\$12,612,475
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

"Grand total general fund	\$22,851,562	\$3,682,884	\$26,534,446
Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,682,883	\$26,604,445"

Page 2, replace lines 26 and 27 with:

"Information technology projects		<u>159,938</u>	<u>42,000</u>
Total general fund		\$2,242,706	\$542,000"

Page 3, line 18, replace "54-16-05" with "54-16-04"

Page 4, line 24, overstrike "sixty-five" and insert immediately thereafter "seventy"

Page 7, line 15, replace "sixty-five" with "seventy"

Page 10, after line 17, insert:

"SECTION 10. A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

Legislative promotional expenses.

The legislative management shall establish a policy regarding promotional expenses made on behalf of the legislative assembly. Any expenditure made

pursuant to this section must be reported to the legislative management. An expenditure under this section may not be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Legislative Assembly						
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Legislative Council						
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
Bill total						
Total all funds	\$26,556,820	\$26,373,484	\$230,961	\$26,604,445	\$26,507,611	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$26,486,821	\$26,303,485	\$230,961	\$26,534,446	\$26,437,612	\$96,834

Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759	\$9,205,759	
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926	3,952,926	
Capital assets	530,000	530,000		530,000	530,000	
National Conf of State Legislatures	233,286	233,286		233,286	233,286	
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes

	Adds Funding for Connectivity ¹	Removes Funding for Audio/Video ²	Total Conference Committee Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			

National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee, the same as the House version.

² One-time funding is removed for installing audio and video recording equipment in committee rooms, the same as the House version. A section of legislative intent added by the House that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session is removed. The Legislative Procedure and Arrangements Committee may use funding available for legislative wing improvements to install audio and video recording equipment in committee rooms.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session, the same as the House version.
- Increasing the monthly limit on legislative lodging reimbursement from 65 to 70 percent of the state employee daily rate. The House had increased the rate to 75 percent of the state employee daily rate retroactively to January 1, 2013. The Senate did not change the current 65 percent rate.

Senate Bill No. 2001 - Legislative Council - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,336,986	\$8,336,986	\$323,874	\$8,660,860	\$8,564,026	\$96,834
Operating expenses	3,858,470	3,813,527	40,000	3,853,527	3,853,527	
Capital assets	25,000	25,000		25,000	25,000	
Accrued leave payments			143,087	143,087	143,087	
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
FTE	34.00	34.00	3.00	37.00	37.00	0.00

Department No. 160 - Legislative Council - Detail of Conference Committee Changes

Adjusts State Employee Compensation and Benefits Package ¹	Provides Separate Line Item for Accrued Leave Payments ²	Adds Fiscal Analyst Positions ³	Adds Funding for Energy Meetings ⁴	Total Conference Committee Changes
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Salaries and wages	(\$43,039)	(\$143,087)	\$510,000		\$323,874
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
Less estimated income	0	0	0	0	0
General fund	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees, the same as the House version.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment, the same as the House version.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition, the same as the House version.

A section added by the House authorizing the hosting of out-of-state dignitaries and the purchase of promotional items is changed to require the Legislative Management to establish a policy regarding promotional expenses.

Engrossed SB 2001 was placed on the Seventh order of business on the calendar.

2013 TESTIMONY

SB 2001

January 25, 2013

1

**STATEMENT OF JIM W. SMITH, DIRECTOR,
NORTH DAKOTA LEGISLATIVE COUNCIL,
REGARDING SENATE BILL NO. 2001,
JANUARY 25, 2013**

Mr. Chairman and members of the Senate Appropriations Committee:

I am here this morning appearing on Senate Bill No. 2001 on behalf of the members of the Legislative Assembly and the members of the Legislative Management to explain the budget requests for the Legislative Assembly, the Legislative Management, and the Legislative Council for the 2013-15 biennium.

The budget requests for these agencies are prepared using zero-based budgeting, meaning all amounts requested are calculated from a starting point of zero.

The financial statements for the fiscal years ending June 30, 2011 and 2010, for the Legislative Assembly and Legislative Council had unqualified opinions and no findings or recommendations.

LEGISLATIVE ASSEMBLY

Subdivision 1 of Section 1 of the bill contains the 2013-15 biennium appropriation for the Legislative Assembly of \$14,336,364 from the general fund. This amount includes \$939,000 of one-time funding requests. The Legislative Assembly "ongoing" request is \$13,397,364, an increase of \$1,372,153, or 11.4 percent more than the 2011-13 "ongoing" appropriation of \$12,025,211. The amount requested is considered necessary for the organizational session and a 77-legislative-day (111-calendar-day) regular 2015 legislative session. The following schedule presents the number of legislative days for previous sessions:

Legislative Session	Legislative Days
2011	78
2009	79
2007	78
2005	76
2003	76*
2001	77
1999	71
1997	66
1995	67

*Excludes the three legislative days relating to the May 2003 special session.

The Legislative Assembly in 2011 provided funding for an estimated 77-legislative-day 2013 legislative session.

Salaries and Wages

The salaries and wages line item of approximately \$9.2 million includes funding for:

- Legislative employees' pay for the 2015 legislative session based on the number of

employees anticipated to be employed for the 2013 legislative session of 83.5 and compensation increases equivalent to a 3 percent annual increase.

- Legislators' salary of \$167 per day for a 77-legislative-day regular session (111 calendar days). This includes the 3 percent per year increase as provided for in Sections 6 and 7 (an estimated cost of \$176,072).
- Continuing the additional compensation of \$15 per calendar day for the legislative leaders and \$10 per calendar day for chairmen of the standing committees and assistant legislative leaders. These compensation rates were each increased by \$5 by the Legislative Assembly in 2011.
- Legislators' monthly compensation of \$453 per month for the first year of the biennium, a \$13, or 3 percent, per month increase and \$467 per month for the second year of the biennium, a \$14, or 3 percent, per month increase (an estimated cost of \$72,858). These increases are provided for in Sections 6 and 7.
- Additional monthly compensation for House and Senate majority and minority leaders of \$325 per month for the first year of the biennium, a \$9, or 3 percent, per month increase and \$335 per month for the second year of the biennium, a \$10, or 3 percent, per month increase (estimated cost of \$1,447). These increases are provided for in Sections 6 and 7.
- Health insurance coverage for 130 legislators, the same number of legislators that were budgeted for the 2011-13 biennium. Current information indicates that 128 legislators have requested health insurance.

Operating Expenses

The operating expenses line item of approximately \$4.4 million includes funding for:

- Legislators' travel costs for 16 trips at 55.5 cents per mile during the 2015 regular session and one trip for the 2014 organizational session.
- Lodging costs for 128 legislators for four months during the 2013 legislative session at an estimated reimbursement rate of \$1,755 per month. The reimbursement rate for the 2013 legislative session is \$1,351. The

budget includes an additional \$138,393 relating to lodging.

- Contribution of \$10,000 annually to the Legislator's Forum (Manitoba, Minnesota, North Dakota, and South Dakota).
- Ongoing information technology data processing of \$1,273,640, an increase of \$485,640 compared to the 2011-13 biennium, including funding for maintenance and enhancements to the legislative enterprise system North Dakota (LEGEND) system, including chamber and committee application enhancements.
- Professional services of \$107,000, which includes \$90,000 for the privatization of legislative secretarial services, bill and journal room operations, and telephone room operations.
- One-time funding of \$397,000 for installing audio and video equipment in all committee rooms.
- One-time funding of \$12,000 for video conferencing equipment.

Capital Assets

The capital assets line item of \$530,000 includes one-time funding of \$500,000 for continuing legislative wing improvements and \$30,000 to expand the storage area network for archiving audio and video from the legislative chambers and committee rooms. Areas of possible use include House and Senate chamber sound system replacement, Senate Conference Room upgrade, Brynhild Haugland Room upgrade, Legislative Council library remodeling, and other renovations.

National Conference of State Legislatures

The National Conference of State Legislatures (NCSL) line item of \$233,286 is an increase of \$1,176 from the 2011-13 budget of \$232,110. This represents North Dakota's contribution to NCSL, and the amount is based on NCSL's estimate of North Dakota's share of the NCSL budget for fiscal years 2014 and 2015.

LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

Subdivision 2 of Section 1 of Senate Bill No. 2001 contains the 2013-15 appropriation for the Legislative Management and the Legislative Council of \$12,220,456, of which \$12,150,457 is from the general fund and \$69,999 is from the insurance regulatory trust fund. The 2013-15 "ongoing" general fund request is \$12,150,457, an increase of \$1,199,106, or **11.1 percent more** than the 2011-13 "ongoing" general fund appropriation of \$10,826,351.

The \$69,999 from the insurance regulatory trust fund is \$1 less than the 2011-13 biennium and is for expenses relating to legislator involvement with the

National Conference of Insurance Legislators (NCOIL).

The Legislative Council is requesting 34 full-time equivalent (FTE) positions, the same number authorized for the 2011-13 biennium. The organizational chart reflecting the current staff structure is attached as an appendix.

Salaries and Wages

The salaries and wages line item of approximately \$8.3 million includes funding for:

- Thirty-four authorized FTE positions.
- Funding for the Governor's recommended salary increase for state employees of \$350,222 (annual performance increases of from 3 to 5 percent).
- The Governor's recommended health insurance premium increase and retirement contribution increase of \$129,205.
- Funding for market equity salary increases of \$100,000, \$45,000 more than the 2011-13 biennium.
- Temporary employees' pay for the 2015 legislative session.
- Legislators' per diem for meetings during the interim of \$1,003,692, \$12,042 less than the 2011-13 budgeted amount of \$1,015,734. This request is based on the same number of committees (26) budgeted for the 2011-12 interim and assumes an 87 percent attendance rate at committee meetings. The decrease is primarily due to the average number of legislators on each interim committee being one less during the 2011-12 interim than the 2009-10 interim. The budgeted amount includes a proposed increase for legislators' interim meeting pay from the current level of \$157 per day to \$162 per day effective July 1, 2013, and \$167 per day effective July 1, 2014 (an estimated cost of \$37,245). These increases are provided for in Sections 8 and 9.

Operating Expenses

The operating expenses line item of approximately \$3.9 million includes funding for:

- Travel expenses relating to meetings during the interim of \$1,701,015, which is \$90,103 more than the 2011-13 budget of \$1,610,912. The funding request is based on the same number of committees (26) budgeted for the 2011-12 interim and assumes an 87 percent attendance rate at committee meetings. Of the \$90,103 increase, approximately \$72,000 relates to anticipated increases in lodging reimbursement rates.
- Dues of \$32,000 annually to the Energy Council.
- Information technology consulting totals \$663,155, \$384,855 more than the

2011-13 budget. The primary cost relates to Information Technology Department business analyst support to continue LEGEND system enhancements, including evaluating and automating chamber and standing committee applications.

- Professional services of \$315,000 is \$100,000 less than the 2011-13 budget due to removal of one-time funding provided for a performance review of the State Auditor's office during the 2011-12 interim. Legislative Management chose not to conduct the performance review; therefore, this amount was not spent. The \$315,000 includes \$300,000 for consulting services to assist with interim committee studies when required, \$6,000 for contracting for the Legislative Council audit, and \$9,000 for contracting for the State Auditor's office audit.
- One-time funding of \$50,000 for a library media migration project.
- One-time funding of \$50,000 for office improvements.
- Other operating expenses changes are based on the Office of Management and Budget's guidelines as they are applicable and anticipated needs in other areas.

Capital Assets

The capital assets line item of \$25,000 includes one-time funding for replacing a copier.

OTHER AREAS

Section 5 authorizes 2011-13 biennium unspent appropriation authority of the legislative branch to continue and allows the Legislative Management Chairman to direct the Office of Management and Budget to cancel selected unexpended amounts still remaining from previous carryover authority. Previously, the legislative branch was allowed to

continue appropriation authority primarily while the LEGEND computer system was being developed.

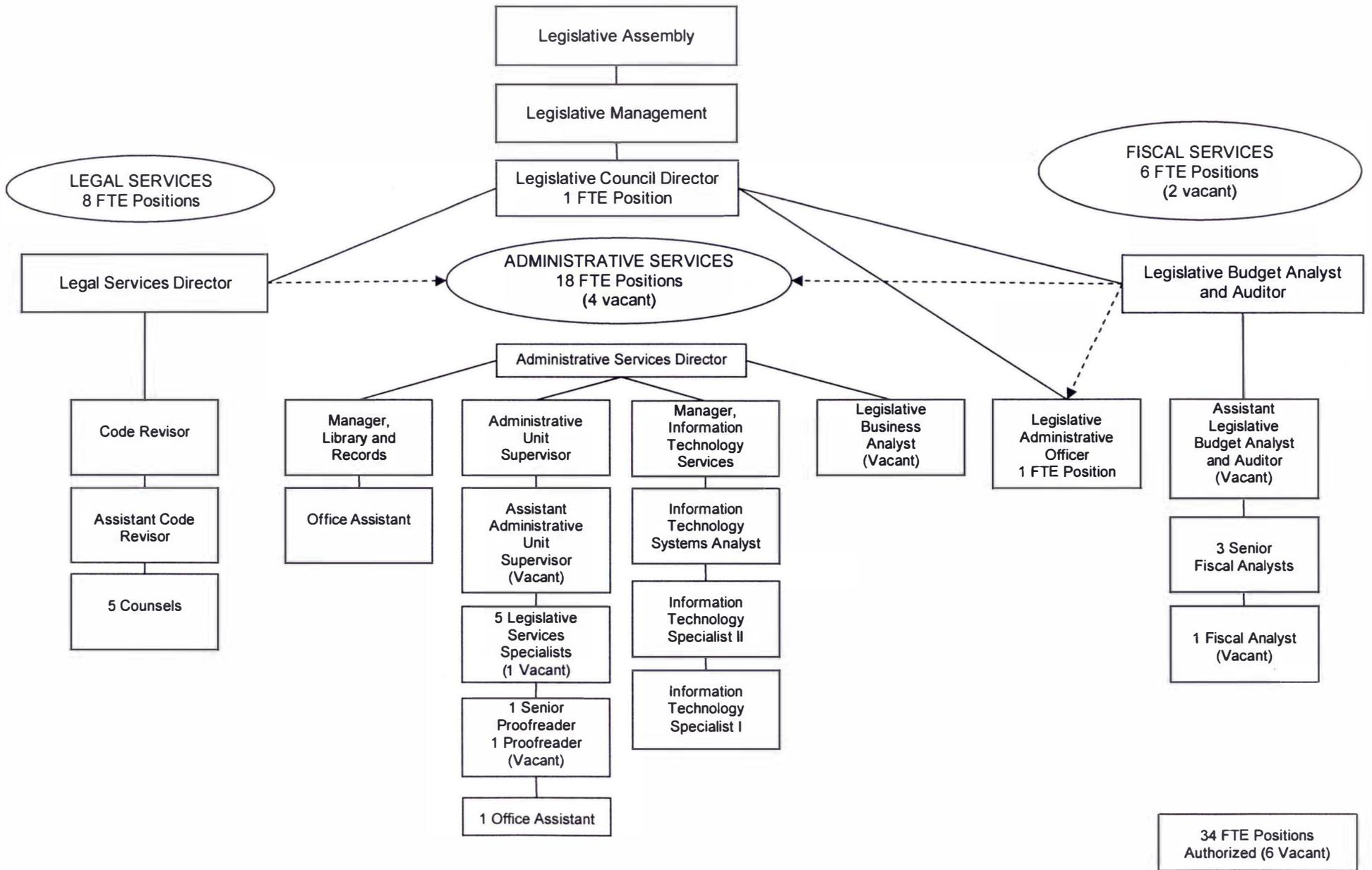
RELATED BILLS

Other bills under consideration that may affect the budget of the legislative branch include:

- House Bill No. 1059 relates to health insurance coverage for temporary state employees.
- House Bill No. 1129 relates to the authentication of official electronic legislative records if the records are the only published records.
- House Bill No. 1212 changes lodging reimbursement rates for legislators during legislative sessions by removing the monthly limit and allowing legislators to be reimbursed up to the daily rate allowed for state employees.
- House Bill No. 1262 provides for annual legislative sessions.
- House Bill No. 1365 provides additional mileage reimbursement for legislators in legislative districts that comprise more than 1,000 square miles.
- House Bill No. 1441 expands the membership of the Legislative Management.
- House Bill No. 1442 establishes a state ethics commission and provides that the legislative branch appropriation include funding for the commission.
- Senate Bill No. 2223 appropriates \$100,000 from the general fund to the Legislative Management for a study of the feasibility and desirability of constructing a facility to house economic development functions of state government on Bank of North Dakota land.

ATTACH:1

LEGISLATIVE COUNCIL ORGANIZATIONAL CHART



———— Line of Authority

----- Input and Assigned Oversight Responsibilities

February 2013

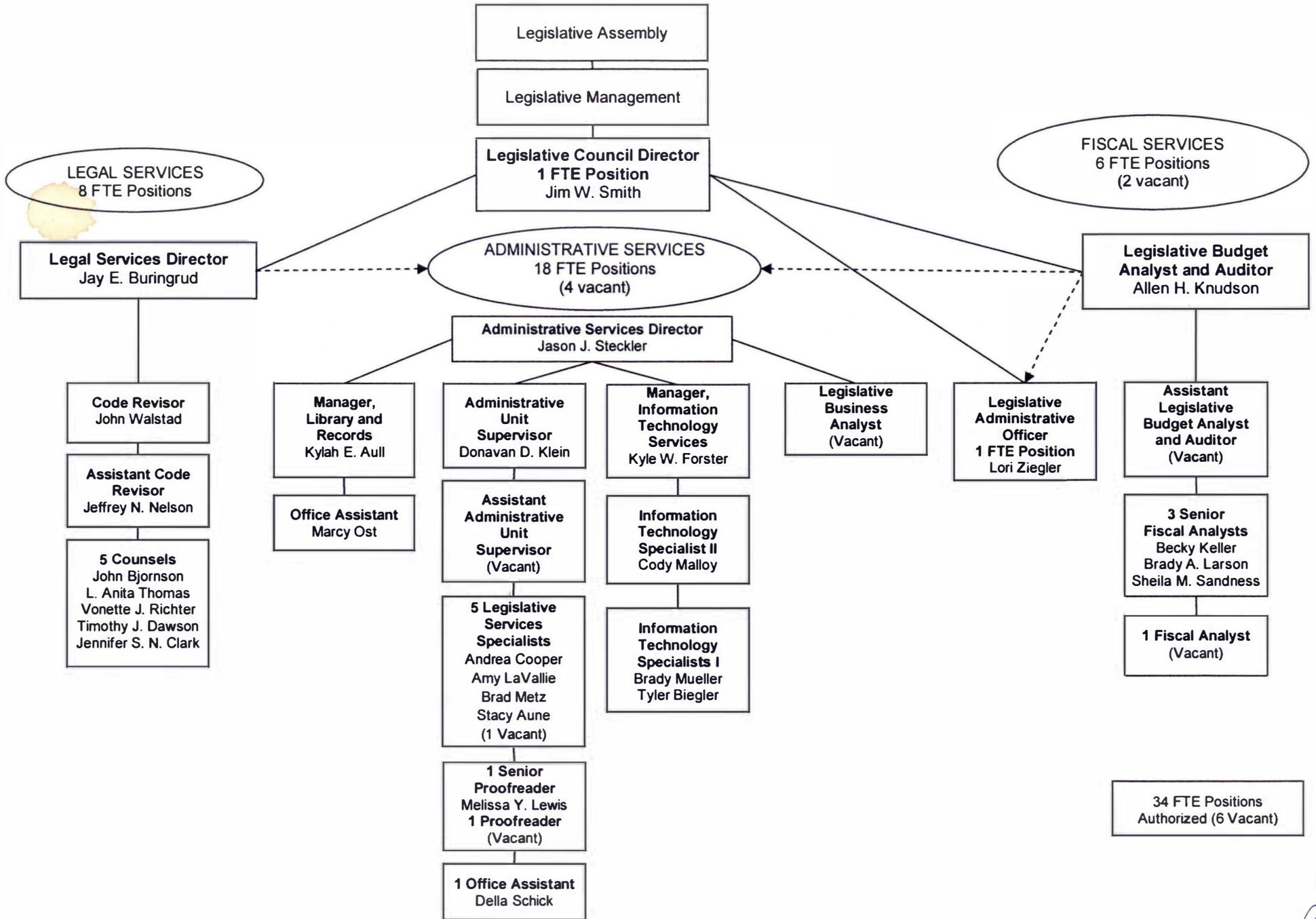
2011-12 INTERIM COMMITTEE COST SUMMARY

This memorandum is to provide a summary of the cost of Legislative Management interim committees during the 2011-12 interim. A summary of committee membership, meetings, attendance percentages, and committee cost through December 2012 is provided below:

Interim Committee	Members	Meetings	Attendance Percentage	Speakers and Consultants	Per Diem and Travel	Total Committee Cost
Administrative Rules	17	6	85%		\$34,071	\$34,071
Advisory Commission on Intergovernmental Relations	4	4	88%		6,479	6,479
Agriculture	16	4	77%		26,283	26,283
Budget Section	39	6	88%		76,573	76,573
Commission on Alternatives to Incarceration	6	5	83%		11,530	11,530
Education Funding and Taxation	8	5	95%		16,838	16,838
Employee Benefits Programs	13	5	88%		23,491	23,491
Energy Development and Transmission	12	9	83%		43,344	43,344
Government Services	21	6	73%		35,200	35,200
Health Care Reform Review	19	10	84%		59,715	59,715
Health Services	16	6	78%		30,932	30,932
Higher Education	21	10	90%	\$9,220	102,474	111,694
Human Services	17	8	86%	47,203	48,980	96,183
Information Technology	11	5	75%		15,806	15,806
Judiciary	18	5	89%		38,283	38,283
Legacy and Budget Stabilization Fund Advisory Board	4	9	81%		9,119	9,119
Legislative Audit and Fiscal Review	20	5	83%		34,527	34,527
Legislative Management	17	8	96%		42,539	42,539
Legislative Procedure and Arrangements	10	6	90%		9,528	9,528
Legislative Redistricting	16	7	99%		55,846	55,846
Natural Resources	19	4	75%		22,767	22,767
Property Tax Measure Review	18	4	81%		24,008	24,008
Taxation	21	7	87%		58,249	58,249
Transportation	19	4	86%		25,465	25,465
Tribal and State Relations	7	5	86%		14,074	14,074
Water-Related Topics Overview	13	7	80%		34,995	34,995
Workers' Compensation Review	6	4	92%		8,275	8,275
Average/Total ¹	15	6	85%	\$56,423	\$909,391	\$965,814

¹These amounts reflect costs incurred through December 2012. Additional committee meetings are held for certain committees during the 2013 legislative session. Most committees meet in May and June 2013 as the new interim begins. Costs relating to these meetings are charged to the 2011-13 biennium budget but are not reflected on this schedule.

LEGISLATIVE COUNCIL ORGANIZATIONAL CHART



34 FTE Positions Authorized (6 Vacant)

———— Line of Authority

----- Input and Assigned Oversight Responsibilities

2

LEGISLATOR SESSION LODGING REIMBURSEMENT - LEGISLATOR HOUSING

This memorandum provides information on legislator lodging reimbursement during legislative sessions and legislator housing statistics for January 2013.

LEGISLATOR LODGING REIMBURSEMENT

Under North Dakota Century Code Section 54-03-20, the Office of Management and Budget (OMB), in August of each even-numbered year, sets the maximum monthly lodging reimbursement allowed for legislators for the upcoming legislative session. The maximum monthly reimbursement level is set by OMB by calculating an amount equal to thirty times 65 percent of the maximum daily lodging reimbursement rate allowed for state employees. The maximum daily lodging reimbursement rate allowed for state employees is also determined by OMB and is equal to 90 percent of the federal General Services Administration (GSA) lodging reimbursement rate for North Dakota. The federal GSA rate may change on October 1 of each year.

The current federal GSA rate for North Dakota is \$77 per night; therefore, OMB has set the maximum daily lodging reimbursement rate allowed for state employees at \$69.30 per night (90% of \$77) plus applicable taxes. Using the formula in Section 54-03-20, the maximum monthly lodging reimbursement allowed for legislators for the 2013 legislative session is \$1,351 per month.

The Legislative Assembly budget request for the 2013-15 biennium includes an estimate of the maximum monthly lodging reimbursement that will be allowed for legislators for the 2015 legislative session based on the formula in current law. Initially, the

budget request which was prepared in September 2012, anticipated a 10 percent annual increase in the federal GSA lodging rate for North Dakota resulting in a projected maximum daily lodging reimbursement rate allowed for state employees of \$90 per night plus applicable taxes. Using the formula in Section 54-03-20, the maximum monthly lodging reimbursement allowed for legislators for the 2015 legislative session as included in the Legislative Assembly budget request was estimated to be \$1,755 per month.

Because the federal GSA rate for the majority of North Dakota, including the Bismarck area, did not change on October 1, 2012, as anticipated in the Legislative Assembly's budget request, the estimates could be reduced. The revised estimates anticipate only a 10 percent change from the current rate resulting in a projected maximum daily lodging reimbursement rate allowed for state employees of \$77 per night plus applicable taxes. Using the formula in Section 54-03-20, the maximum monthly lodging reimbursement allowed for legislators for the 2015 legislative session based on the revised estimate would be \$1,502 per month.

JANUARY LODGING STATISTICS

Based on the 105 legislators that have submitted a voucher for January 2013 lodging costs as of February 5, 2013, costs incurred range from \$575 to \$1,800 for the month of January. The average cost is \$1,352. Of the 105 legislators, 81 or 77 percent are reimbursed at the \$1,351 maximum allowable amount.

Of those submitted to date, 47 percent are living in motels and 53 percent in private residences.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2001

Page 1, replace line 18 with:

"Operating expenses	3,268,968	959,958	4,228,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$2,172,760	\$14,197,971"
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Page 2, replace line 4 with:

"Operating expenses	3,305,520	508,007	3,813,527"
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Page 2, replace line 6 with:

"Total all funds	\$10,896,351	\$1,279,162	\$12,175,513"
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Page 2, replace line 8 with:

"Total general fund	\$10,826,351	\$1,279,163	\$12,105,514"
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Page 2, replace line 14 with:

"Grand total general fund	\$22,851,562	\$3,451,923	\$26,303,485"
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Page 2, replace line 16 with:

"Grand total all funds	\$22,921,562	\$3,451,922	\$26,373,484"
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Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Senate Action

	Executive Budget	Senate Changes	Senate Version
Legislative Assembly			
Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
Legislative Council			
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
Bill total			
Total all funds	\$26,556,820	(\$183,336)	\$26,373,484
Less estimated income	69,999	0	69,999
General fund	\$26,486,821	(\$183,336)	\$26,303,485

Senate Bill No. 2001 - Legislative Assembly - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	(\$138,393)	4,228,926

2

Capital assets	530,000		530,000
National Conf of State Legislatures	233,286		233,286
Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
FTE	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Senate Changes

	Reduces Legislator Lodging Estimate ¹	Total Senate Changes
Salaries and wages		
Operating expenses	(\$138,393)	(\$138,393)
Capital assets		
National Conf of State Legislatures		
Total all funds	(\$138,393)	(\$138,393)
Less estimated income	0	0
General fund	(\$138,393)	(\$138,393)
FTE	0.00	0.00

¹The operating expenses line item is reduced by \$138,393 to decrease the funding anticipated to be needed for legislator lodging reimbursements for the 2015 legislative session. The budget request anticipated the maximum monthly lodging reimbursement rate for the 2015 legislative session based on the statutory formula to be \$1,755 per month. The Senate version anticipates the maximum amount to be \$1,502 per month. The maximum amount in effect for the 2013 session is \$1,351 per month.

Senate Bill No. 2001 - Legislative Council - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$8,336,986		\$8,336,986
Operating expenses	3,858,470	(\$44,943)	3,813,527
Capital assets	25,000		25,000
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
FTE	34.00	0.00	34.00

Department No. 160 - Legislative Council - Detail of Senate Changes

	Reduces Legislator Lodging Estimate ¹	Total Senate Changes
Salaries and wages		
Operating expenses	(\$44,943)	(44,943)
Capital assets		
Total all funds	(\$44,943)	(\$44,943)
Less estimated income	0	0
General fund	(\$44,943)	(\$44,943)
FTE	0.00	0.00

¹The operating expenses line item is reduced by \$44,943 to decrease the funding anticipated to be needed for legislator lodging reimbursements for interim meetings during the 2013-14 interim. The budget request anticipated the daily lodging reimbursement rate for the 2013-14 interim to be \$90 per night. The Senate version anticipates the rate to be \$77 per night. The current rate is \$69.30 per night.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 3, replace "sections" with "subsections 1, 2, and 7 of section"

Page 1, line 3, after the second "and" insert "section"

Page 1, line 4, after "compensation" insert "and expense reimbursement; to provide for a legislative management study; to provide legislative intent"

Page 1, line 4, after the second semicolon insert "to provide for retroactive application;"

Page 1, replace line 18 with:

"Operating expenses	3,268,968	1,080,958	4,349,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$2,293,760	\$14,318,971"
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Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$7,574,331	\$989,695	\$8,564,026
Accrued leave payments		143,087	143,087
Operating expenses	3,305,520	523,007	3,828,527
Capital assets	<u>16,500</u>	<u>8,500</u>	<u>25,000</u>
Total all funds	\$10,896,351	\$1,664,289	\$12,560,640
Less estimated income	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Total general fund	\$10,826,351	\$1,664,290	\$12,490,641
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

"Grand total general fund	\$22,851,562	\$3,958,050	\$26,809,612
Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,958,049	\$26,879,611"

Page 4, remove lines 8 through 31

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 28

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

"SECTION 6. AMENDMENT. Subsections 1 and 7 of section 54-03-20 of the North Dakota Century Code are amended and reenacted as follows:

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~fifty-seventy-two~~ sixty-two dollars for each calendar day during any organizational, special, or regular

legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~forty~~forty-five dollars a month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~sixteen~~sixteen dollars per month during the biennium for their execution of public duties.

SECTION 7. AMENDMENT. Subsections 1 and 7 of section 54-03-20 of the North Dakota Century Code are amended and reenacted as follows:

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred ~~sixty-two~~sixty-seven dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred ~~fifty-three~~sixty-seven dollars a month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of three hundred ~~twenty-five~~thirty-five dollars per month during the biennium for their execution of public duties.

SECTION 8. AMENDMENT. Subsection 2 of section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar

day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times ~~sixty-five~~seventy-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
- (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
 - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a."

Page 10, after line 17, insert:

SECTION 11. LEGISLATIVE MANAGEMENT STUDY. The legislative management shall consider studying during the 2013-14 interim the legislative session process. If conducted, the study should include:

1. The feasibility and desirability of the legislative assembly restructuring the use of its eighty legislative days to provide for a seventy-day regular session each odd-numbered year and a ten-day review session each even-numbered year or other division of days as determined appropriate by the legislative management.
2. A review of the interim committee process and the role and expectations of interim committees relative to any changes in session restructuring.
3. A review of the legislative assembly's current processes, including standing committee structure, conference committee process, and the assistance of technology in the process; and a review of options for improving the efficiency and effectiveness of the legislative process.

The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-fourth legislative assembly.

SECTION 12. LEGISLATIVE MANAGEMENT STUDY. The legislative management shall consider studying during the 2013-14 interim opportunities to reduce the risk of death and disease through tobacco harm reduction strategies. The legislative management shall report its findings and recommendations, together with any legislation to implement the recommendations, to the sixty-fourth legislative assembly.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the

sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states.

Page 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

Page 10, after line 19, insert:

"SECTION 15. RETROACTIVE APPLICATION. Section 8 of this Act applies retroactively to January 1, 2013."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of House Action

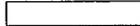
	Executive Budget	Senate Version	House Changes	House Version
Legislative Assembly				
Total all funds	\$14,336,364	\$14,197,971	\$121,000	\$14,318,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	\$121,000	\$14,318,971
Legislative Council				
Total all funds	\$12,220,456	\$12,175,513	\$385,127	\$12,560,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$385,127	\$12,490,641
Bill total				
Total all funds	\$26,556,820	\$26,373,484	\$506,127	\$26,879,611
Less estimated income	69,999	69,999	0	69,999
General fund	\$26,486,821	\$26,303,485	\$506,127	\$26,809,612

Senate Bill No. 2001 - Legislative Assembly - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	4,228,926	121,000	4,349,926
Capital assets	530,000	530,000		530,000
National Conf of State Legislatures	233,286	233,286		233,286
Total all funds	\$14,336,364	\$14,197,971	\$121,000	\$14,318,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	\$121,000	\$14,318,971
FTE	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of House Changes

	Adds Funding for Connectivity ¹	Total House Changes
Salaries and wages		
Operating expenses	121,000	121,000
Capital assets		
National Conf of State Legislatures		
Total all funds	\$121,000	\$121,000
Less estimated income	0	0
General fund	\$121,000	\$121,000
	0.00	0.00



¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedures and Arrangements Committee.

Sections are added:

- Providing for a legislative study of the legislative process.
- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session.
- Increasing the monthly limit on legislative lodging reimbursement retroactively to January 1, 2013.

Senate Bill No. 2001 - Legislative Council - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,336,986	\$8,336,986	\$227,040	\$8,564,026
Operating expenses	3,858,470	3,813,527	15,000	3,828,527
Capital assets	25,000	25,000		25,000
Accrued leave payments			143,087	143,087
Total all funds	\$12,220,456	\$12,175,513	\$385,127	\$12,560,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$385,127	\$12,490,641
FTE	34.00	34.00	3.00	37.00

Department No. 160 - Legislative Council - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package ¹	Provides Separate Line Item for Accrued Leave Payments ²	Adds Fiscal Analyst Positions ³	Total House Changes
Salaries and wages	(\$139,873)	(\$143,087)	\$510,000	\$227,040
Operating expenses			15,000	15,000
Capital assets				
Accrued leave payments		143,087		143,087
Total all funds	(\$139,873)	\$0	\$525,000	\$385,127
Less estimated income	0	0	0	0
General fund	(\$139,873)	\$0	\$525,000	\$385,127
FTE	0.00	0.00	3.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Removes funding for additional retirement contribution increases.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment.

A section is added providing for a Legislative Management study of tobacco harm reduction strategies.

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Funding Summary

	Executive Budget	Senate Version	House Changes	House Version
Legislative Assembly				
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926
Capital assets	530,000	530,000		530,000
National Conf of State Legislatures	233,286	233,286		233,286
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
FTE	0.00	0.00	0.00	0.00
Legislative Council				
Salaries and wages	\$8,336,986	\$8,336,986	\$227,040	\$8,564,026
Operating expenses	3,858,470	3,813,527	40,000	3,853,527
Capital assets	25,000	25,000		25,000
Accrued leave payments			143,087	143,087
Total all funds	\$12,220,456	\$12,175,513	\$410,127	\$12,585,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$410,127	\$12,515,641
FTE	34.00	34.00	3.00	37.00
Bill Total				
Total all funds	\$26,556,820	\$26,373,484	\$134,127	\$26,507,611
Less estimated income	69,999	69,999	0	69,999
General fund	\$26,486,821	\$26,303,485	\$134,127	\$26,437,612
FTE	34.00	34.00	3.00	37.00

Senate Bill No. 2001 - Legislative Assembly - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	(138,393)	4,228,926
Capital assets	530,000		530,000
National Conf of State Legislatures	233,286		233,286
Total all funds	\$14,336,364	(\$138,393)	\$14,197,971
Less estimated income	0	0	0
General fund	\$14,336,364	(\$138,393)	\$14,197,971
FTE	0.00	0.00	0.00

Department 160 - Legislative Council - Detail of House Changes

	Adjusts State Employee Compensation and Benefits Package¹	Provides Separate Line Item for Accrued Leave Payments²	Adds Fiscal Analyst Positions³	Adds Funding for Energy Meetings⁴	Total House Changes
Salaries and wages	(139,873)	(143,087)	510,000		227,040
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$139,873)	\$0	\$525,000	\$25,000	\$410,127
Less estimated income	0	0	0	0	0
General fund	(\$139,873)	\$0	\$525,000	\$25,000	\$410,127
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Removes funding for additional retirement contribution increases.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition.

A section is added authorizing the hosting of out-of-state dignitaries and the purchase of promotional items.

Department 150 - Legislative Assembly - Detail of Senate Changes

	Reduces Legislator Lodging Estimate¹	Total Senate Changes
Salaries and wages		
Operating expenses	(138,393)	(138,393)
Capital assets		
National Conf of State Legislatures		
Total all funds	(\$138,393)	(\$138,393)
Less estimated income	0	0
General fund	(\$138,393)	(\$138,393)
FTE	0.00	0.00

¹ The operating expenses line item is reduced by \$138,393 to decrease the funding anticipated to be needed for legislator lodging reimbursements for the 2015 legislative session. The budget request anticipated the maximum monthly lodging reimbursement rate for the 2015 legislative session based on the statutory formula to be \$1,755 per month. The Senate version anticipates the maximum amount to be \$1,502 per month. The maximum amount in effect for the 2013 session is \$1,351 per month.

Senate Bill No. 2001 - Legislative Assembly - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926
Capital assets	530,000	530,000		530,000
National Conf of State Legislatures	233,286	233,286		233,286
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
Less estimated income	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971
FTE	0.00	0.00	0.00	0.00

Department 150 - Legislative Assembly - Detail of House Changes

	Adds Funding for Connectivity¹	Removes Funding for Audio/Video²	Total House Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			
National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee.

² One-time funding is removed for installing audio and video recording equipment in committee rooms. A section of legislative intent is added that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session.
- Increasing the monthly limit on legislative lodging reimbursement retroactively to January 1, 2013.

Senate Bill No. 2001 - Legislative Council - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$8,336,986		\$8,336,986
Operating expenses	3,858,470	(44,943)	3,813,527
Capital assets	25,000		25,000
Total all funds	\$12,220,456	(\$44,943)	\$12,175,513
Less estimated income	69,999	0	69,999
General fund	\$12,150,457	(\$44,943)	\$12,105,514
FTE	34.00	0.00	34.00

Department 160 - Legislative Council - Detail of Senate Changes

	Reduces Legislator Lodging Estimate¹	Total Senate Changes
Salaries and wages		
Operating expenses	(44,943)	(44,943)
Capital assets		
Total all funds	(\$44,943)	(\$44,943)
Less estimated income	0	0
General fund	(\$44,943)	(\$44,943)
FTE	0.00	0.00

¹ The operating expenses line item is reduced by \$44,943 to decrease the funding anticipated to be needed for legislator lodging reimbursements for interim meetings during the 2013-14 interim. The budget request anticipated the daily lodging reimbursement rate for the 2013-14 interim to be \$90 per night. The Senate version anticipates the rate to be \$77 per night. The current rate is \$69.30 per night.

Senate Bill No. 2001 - Legislative Council - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,336,986	\$8,336,986	\$227,040	\$8,564,026
Operating expenses	3,858,470	3,813,527	40,000	3,853,527
Capital assets	25,000	25,000		25,000
Accrued leave payments			143,087	143,087
Total all funds	\$12,220,456	\$12,175,513	\$410,127	\$12,585,640
Less estimated income	69,999	69,999	0	69,999
General fund	\$12,150,457	\$12,105,514	\$410,127	\$12,515,641
FTE	34.00	34.00	3.00	37.00

1 and the chairman of each of the legislative management's committees is entitled to
2 receive five dollars for each day spent in attendance at sessions of the legislative
3 management or of the committee which the person chairs.

4 **SECTION 11.** A new section to chapter 54-35 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Legislative hosting of dignitaries.**

7 The legislative management or the chairman of the legislative management may approve
8 the hosting of out-of-state dignitaries on behalf of the legislative assembly and may authorize
9 the majority and minority leaders of the senate and the house of representatives or their
10 designees to assist in the hosting of such dignitaries. An expenditure for the purchase of items
11 to promote or to host a dignitary under this section may not be construed as a gift for purposes
12 of section 18 of article X of the Constitution of North Dakota. The provisions of chapter 44-08 do
13 not apply to expenditures made under this section.

14 **SECTION 12. LEGISLATIVE INTENT.** It is the intent of the sixty-third legislative assembly
15 that the legislative management not proceed with implementing a process to record and archive
16 video of standing committee meetings during the legislative session for the biennium beginning
17 July 1, 2013, and ending June 30, 2015.

18 **SECTION 13. LEGISLATIVE INTENT.** It is the intent of the sixty-third legislative assembly
19 that the legislative management consider implementing during the sixty-fourth legislative
20 assembly a limited bill analysis report pilot project to provide bill analysis reports similar to
21 analysis reports prepared in other states.

22 **SECTION 14. EFFECTIVE DATE.** Sections 6 and 89 of this Act become effective on July 1,
23 2013, and sections 7 and 910 become effective on July 1, 2014.

24 **SECTION 15. RETROACTIVE APPLICATION.** Section 8 of this Act applies retroactively to
25 January 1, 2013.

26 **SECTION 16. EMERGENCY.** This Act is declared to be an emergency measure.

February 2013

LEGISLATOR SESSION LODGING REIMBURSEMENT - LEGISLATOR HOUSING

1
AB 2001
4-24-13
Cont

This memorandum provides information on legislator lodging reimbursement during legislative sessions and legislator housing statistics for January 2013.

LEGISLATOR LODGING REIMBURSEMENT

Under North Dakota Century Code Section 54-03-20, the Office of Management and Budget (OMB), in August of each even-numbered year, sets the maximum monthly lodging reimbursement allowed for legislators for the upcoming legislative session. The maximum monthly reimbursement level is set by OMB by calculating an amount equal to thirty times 65 percent of the maximum daily lodging reimbursement rate allowed for state employees. The maximum daily lodging reimbursement rate allowed for state employees is also determined by OMB and is equal to 90 percent of the federal General Services Administration (GSA) lodging reimbursement rate for North Dakota. The federal GSA rate may change on October 1 of each year.

The current federal GSA rate for North Dakota is \$77 per night; therefore, OMB has set the maximum daily lodging reimbursement rate allowed for state employees at \$69.30 per night (90% of \$77) plus applicable taxes. Using the formula in Section 54-03-20, the maximum monthly lodging reimbursement allowed for legislators for the 2013 legislative session is \$1,351 per month.

The Legislative Assembly budget request for the 2013-15 biennium includes an estimate of the maximum monthly lodging reimbursement that will be allowed for legislators for the 2015 legislative session based on the formula in current law. Initially, the

budget request which was prepared in September 2012, anticipated a 10 percent annual increase in the federal GSA lodging rate for North Dakota resulting in a projected maximum daily lodging reimbursement rate allowed for state employees of \$90 per night plus applicable taxes. Using the formula in Section 54-03-20, the maximum monthly lodging reimbursement allowed for legislators for the 2015 legislative session as included in the Legislative Assembly budget request was estimated to be \$1,755 per month.

Because the federal GSA rate for the majority of North Dakota, including the Bismarck area, did not change on October 1, 2012, as anticipated in the Legislative Assembly's budget request, the estimates could be reduced. The revised estimates anticipate only a 10 percent change from the current rate resulting in a projected maximum daily lodging reimbursement rate allowed for state employees of \$77 per night plus applicable taxes. Using the formula in Section 54-03-20, the maximum monthly lodging reimbursement allowed for legislators for the 2015 legislative session based on the revised estimate would be \$1,502 per month.

JANUARY LODGING STATISTICS

Based on the 105 legislators that have submitted a voucher for January 2013 lodging costs as of February 5, 2013, costs incurred range from \$575 to \$1,800 for the month of January. The average cost is \$1,352. Of the 105 legislators, 81 or 77 percent are reimbursed at the \$1,351 maximum allowable amount.

Of those submitted to date, 47 percent are living in motels and 53 percent in private residences.

1351.

2



**Bismarck-Mandan
Convention & Visitors Bureau**

1600 Burnt Boat Drive
Bismarck, ND 58503
Phone: (701) 222-4308
Fax: (701) 222-0647

BB 2001
4-24-13
conf.

Hotel Bid Summary

**North Dakota Legislative Council - Lodging for Legislators During Session
Meeting Dates: 01/01/2013 - 01/02/2013**

Americas Best Value Inn & Suites
1505 Interchange Avenue
Bismarck, ND 58501
Phone: 701-223-8060

Rate: \$45.04 plus tax

\$1351.20

\$45.04 is a daily rate for 30 days = \$1351.20 per month.

At American Inn & Suites, we do everything we can to give you a good nights rest. Whether you're traveling for business or pleasure, alone or with your family, you'll always enjoy 92 clean, comfortable rooms at terrific rates. You will also enjoy our free, deluxe continental breakfast, free local phone calls and free high-speed internet access. Don't forget to try one of our new fully furnished kitchenettes.

AmericInn Lodge & Suites
3235 State Street
Bismarck, ND 58503
Phone: 701-250-1000
Fax: 701-250-1103

Rate: \$75.30 plus tax

\$2259.00

Located in close proximity to shopping and restaurants. Stay in one of the 46 luxurious rooms, with suites featuring whirlpools and fireplaces. Enjoy a large indoor pool, whirlpool, spa and game room, as well as a free enhanced continental breakfast. Wireless, high-speed internet is also available for guests.

Best Western Seven Seas
2611 Old Red Trail
Mandan, ND 58554
Phone: 701-663-7401

Rate: \$97.99 plus tax

\$2939.70

Experience 122 spacious guestrooms with business amenities, newly renovated meeting and convention facilities, an indoor pool complex with the area's largest indoor waterpark, aquaplay pool, casino/lounge. The Seven Seas offers a variety of guestrooms, including business rooms, family suites and presidential suites. You will also enjoy Montana Mike's Steakhouse. Located in Mandan, along I-94, the Best Western Seven Seas Hotel & Waterpark is Bismarck-Mandan's hospitality leader.

Hotel Bid Summary

Candlewood Suites
4400 Skyline Crossings
Bismarck, ND 58503
Phone: 701-751-8900

Rate: \$1,500.00 plus tax

We will be accepting a limited number of legislators at the rate of \$1500/month. If the lodging increase passes during the session and the increased per diem is over \$1500 rate will be retroactive as of January 1, 2013.

Candlewood Suites is not your typical or traditional hotel. We put amenities where they really count: in our 88 suites. Each room includes a full kitchen, overstuffed recliner and DVD player with free movies. Our Comforts of Home bedding is ideal for a great nights sleep. Enjoy our fitness and business center, indoor pool and hot tub, complimentary washer and dryers, and our Candlewood Cupboard all while earning Priority Club points. Located off of I-94 and Exit 159, then north on State St/Hwy. 83 for 1.7 miles.

Comfort Inn
1030 E. Interstate Avenue
Bismarck, ND 58501
Phone: 701-223-1911

Rate: \$69.00 plus tax

\$2070.00

PLEASE CONTACT TAMMY CHURCHILL, FRONT DESK MANAGER, @701-223-1911 FOR RESERVATIONS. THANK YOU.

The Comfort Inn offers a great location and a great value. Our guests enjoy the Hot Complimentary Breakfast, Large Indoor Pool, Wading Pool and Hot Tub. Guests can also take advantage of several Meeting Rooms, Free High Speed Internet, Shuttle Service, and 24 Hour Exercise Room. Business and Family Suites, Poolside Rooms all make up the properties 148 rooms.

Comfort Suites
929 Gateway Avenue
Bismarck, ND 58501
Phone: 701-223-4009

Rate: \$69.00 plus tax

\$2070.00

PLEASE CONTACT TAMMY CHURCHILL, FRONT DESK MANAGER @ 701-223-1911 FOR RESERVATIONS. THANK YOU.

The Comfort Suites, neighboring the Comfort Inn, has all of the amenities of an all-suite hotel at a great value. The indoor pool area features an indoor 100' waterslide, kiddie pool, and hot tub. A hot complimentary breakfast is served daily. All 60 suites are equipped with Ethernet and wireless internet, refrigerators and microwaves.

Country Suites
3205 N. 14th Street
Bismarck, ND 58503
Phone: 701-258-4200

Rate: \$85.00 plus tax

\$2550.00

The rate for legislative council would be applicable to 1 person only per room. If there is more than one person in the room the rate will go up to the rack rate for any given night. If a spouse, children or any other "Room mate" is in the room the rate will significantly increase for each night the extra person/ persons are in the room. There are no pets allowed and no smoking. There is a minimum stay of 3 nights to qualify for this rate. Proof of legislative council employment is required.

For a cozy stay at a comfortable price, Country Suites offers guests a friendly hello and the personal touches of home. Enjoy a combination of 76 standard, presidential and whirlpool suites. You'll also find an indoor pool with a triple-loop 150 foot waterslide, childrens play pool, exercise facility and a microwave and fridge in each room. Enjoy the free continental "plus" breakfast, in-room coffee service, local phone calls, high-speed internet access and weekday newspaper.

Hotel Bid Summary

Days Inn

1300 E. Capital Avenue
Bismarck, ND 58501
Phone: 701-223-9151

Rate: \$69.30 plus tax

\$2079.00

Days Inn in Bismarck is your home away from home. With an indoor pool, whirlpool, exercise room and sauna, you'll find plenty of reasons to relax here. Days Inn is conveniently located off Exit 159 at the intersection of Highway 83 and Interstate 94. Seven jacuzzi suites are part of the 101 available rooms and guests can enjoy a free, cooked-to-order breakfast.

Expressway Inn

200 E. Bismarck Expressway
Bismarck, ND 58504
Phone: 701-222-2900

Rate: \$60.00 plus tax

\$1800.00

we will take five legislators total. They can have a choice of a suite for 69.30 or a deluxe king for 60.00 per night.

Expressway Inn is located off Exit 161 or Exit 156, it is close to many restaurants, downtown area, across the street from the areas largest shopping mall, and minutes away from the zoo, golf course and parks. Expressway Inn offers free deluxe continental breakfast and 157 great sleeping rooms with internet access, 32 inch tvs, desks, in room coffee and hairdryers. Deluxe rooms available with fridge, microwave, iron and board. Enjoy the outdoor pool and shelter, indoor swimmers spa and exercise room. Boardroom Suites are available for small meetings, courtesy airport and hospital shuttle, guest washer and dryer, winter car plug-ins are available, free HBO and cable tv in every room.

Expressway Suites

180 E. Bismarck Expressway
Bismarck, ND 58504
Phone: 701-222-3311

Rate: \$69.30 plus tax

\$2079.00

Expressway Suites is where you will find luxury for less. Free hot breakfast, local calls, high speed wireless internet, 32 inch high definition tvs, in room coffee, fridge, microwave, hairdryer, iron and board are all available in the 64 rooms. Indoor pool, spa and exercise room also available. Airport shuttle, whirlpool suites with fireplaces, lounge and casino, meeting space for up to 50 people, guests washer and dryer, winter car plug-ins, free HBO and cable tv. Located off Exit 161 or Exit 156, near the Civic Center and downtown, across from the largest shopping mall and close to zoo, parks, and golfing.

Kelly Inn

1800 N. 12th Street
Bismarck, ND 58201
Phone: 701-223-8001

Rate: \$50.00 plus tax

\$1500.00

Will offer the Monthly Rate of \$1500.00 for Legislatures, However during session we will offer the Government Rate of \$69.30

When in Bismarck-Mandan for business or leisure, stay at the Kelly Inn. 101 Guest rooms include in-room coffee makers, hair dryers, iron/board, and 25 inch cable/remote TV's. Enjoy dining at Minervas Restaurant and Bar, as well as the indoor pool, whirlpool, exercise room, airport shuttle and full service banquet and meeting facilities. High-speed internet access is available.

Hotel Bid Summary

LaQuinta Inn & Suites
2240 N. 12th Street
Bismarck, ND 58501
Phone: 701-751-3313

Rate: \$109.00 plus tax

\$3270.00

The LaQuinta Inn and Suites of Bismarck offers just what any traveler needs to wake up on the bright side. We want to give you a jump-start on your day, we offer a free Bright Side Breakfast. With everything from make your own waffles, scrambled eggs, sausage and bacon, omelets, biscuits and gravy. Cold & hot cereal, hard boiled eggs, breads & muffins and fresh fruit, coffee and juice. When you are done working or playing stop down and relax at our Managers Reception held from 5pm-7pm Monday-Thursday. Enjoy appetizers and refreshments which are all complimentary. The LaQuinta Inn & Suites is located just off of I-94 & 15 minutes from the airport.

MainStay Suites
2507 N. 9th St.
Bismarck, ND 58503
Phone: 701-223-9119

Rate: \$89.00 plus tax

\$2670.00

PLEASE CONTACT TAMMY CHURCHILL, FRONT DESK MANAGER, @ 701-223-1911 FOR RESERVATIONS. THANK YOU

Radisson Hotel
605 E. Broadway Avenue
Bismarck, ND 58501
Phone: 701-255-6000

Rate: \$66.66 plus tax

\$1999.80

We will do \$2000/month for a standard room. These rooms do not have a microwave and refridgerator included.

Whether traveling for pleasure or business, we welcome you to unmatched hospitality and superb service. Meticulous attention to guest comfort, detail & security attends each of our 215 elegant guestrooms & suites. Guests will enjoy complimentary airport shuttle, free parking, free high-speed internet in all of our lobby, guest rooms, 12,000 square feet of meeeting rooms, lounge & restaurant. Enjoy your sleep on our exclusive Sleep Number Beds, and pamper yourself at our onsite Timeless salon/spa.

Ramada Bismarck Hotel & Conference Center
Ext 159 & I-94
Bismarck, ND 58501
Phone: 701-258-7000

Rate: \$99.00 plus tax

\$2970.00

We would do more rooms if needed possibly 10 more @ this rate per day.

Located in the hub of Bismarck, the Doublewood Inn is the perfect choice for all of your hospitality needs. 141 tastefully decorated sleeping rooms, newly renovated conference facilities, full-service restaurant and casino/lounge, indoor pool complex and outstanding customer service are just some of the amenities for travelers.

Ramada Limited Suites
3808 E. Divide Avenue
Bismarck, ND 58501
Phone: 701-221-3030
Fax: 701-221-0927
701-221-0927

Rate: \$99.00 plus tax

\$2970.00

***monthly rate of \$99 no tax per night - guest needs to stay 30 consecutive nights.
*weekly rate \$99 plus tax per night - guest needs to stay 7 consecutive nights.**

We look forward to seeing you at Ramada Limited located at I-94 and Exit 161. Guest can enjoy the solarium enclosed pool, whirlpool and exercise room. Whirlpool suites with fireplaces are available, with a total of 66 spacious, comfortable guest rooms, where wireless internet access is available.

Hotel Bid Summary

Staybridge Suites
2801 Gateway Ave.
Bismarck, ND 58503
Phone: 701-223-1499
Fax: 701-223-1585
www.staybridge.com

Rate: \$119.00 plus tax

\$3570.00

\$119 Rate applies to 30 night stay in a studio suite.

Staybridge Suites is Bismarck's newest all suites extended stay property located west of Sears in Gateway mall. The in-suite comforts and conveniences include fully equipped kitchens, plush bedding, expanded cable TV and Blu-ray player. We are a pet friendly hotel with home-like surroundings like a hot breakfast buffet, evening Social (Tues-Thurs), free wireless, a Theatre room, complimentary laundry and professionally equipped fitness room. Our backyard BBQ pavilion has a firepit for cool nights and the hotel has an indoor pool and whirlpool.

Super 8 Motel
1124 E. Capital Avenue
Bismarck, ND 58501
Phone: 701-255-1314

Rate: \$87.00 plus tax

\$2610.00

13.8020.02009
Title.

Prepared by the Legislative Council staff for
Representative Thoreson
April 24, 2013

3
SB 2001
4.24.13
Conf.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1516-1521 of the Senate Journal and pages 1594-1598 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 4, after the first semicolon insert "to provide an exception;"

Page 10, after line 17, insert:

**"SECTION 10. ADDITIONAL LODGING REIMBURSEMENT FOR 2013
LEGISLATIVE SESSION - EXCEPTION.** Notwithstanding the per calendar month lodging maximum provided in section 54-03-20 for members of the legislative assembly during a legislative session, a member of the sixty-third legislative assembly is entitled to lodging reimbursement for actual expenses incurred for each calendar day the sixty-third legislative assembly is in session if the member submits a voucher indicating the actual amount expended for lodging."

Re-number accordingly

1
Comd
4.26-13
SB 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1516-1521 of the Senate Journal and pages 1594-1598 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 4, after "compensation" insert "and expense reimbursement; to provide legislative intent"

Page 1, replace line 18 with:

"Operating expenses	3,268,968	683,958	3,952,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$1,896,760	\$13,921,971"
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Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$7,574,331	\$1,086,529	\$8,660,860
Accrued leave payments		143,087	143,087
Operating expenses	3,305,520	548,007	3,853,527
Capital assets	<u>16,500</u>	<u>8,500</u>	<u>25,000</u>
Total all funds	\$10,896,351	\$1,786,123	\$12,682,474
Less estimated income	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Total general fund	\$10,826,351	\$1,786,124	\$12,612,475
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

"Grand total general fund	\$22,851,562	\$3,682,884	\$26,534,446
Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,682,883	\$26,604,445"

Page 2, replace lines 26 and 27 with:

"Information technology projects		<u>159,938</u>	<u>42,000</u>
Total general fund		\$2,242,706	\$542,000"

Page 3, line 18, replace "54-16-05" with "54-16-04"

Page 4, line 24, overstrike "sixty-five" and insert immediately thereafter "seventy"

Page 10, after line 17, insert:

"SECTION 10. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the

sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Legislative Assembly						
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Legislative Council						
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
Bill total						
Total all funds	\$26,556,820	\$26,373,484	\$230,961	\$26,604,445	\$26,507,611	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$26,486,821	\$26,303,485	\$230,961	\$26,534,446	\$26,437,612	\$96,834

Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759	\$9,205,759	
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926	3,952,926	
Capital assets	530,000	530,000		530,000	530,000	
National Conf of State Legislatures	233,286	233,286		233,286	233,286	
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes

	Adds Funding for Connectivity ¹	Removes Funding for Audio/Video ²	Total Conference Committee Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			
National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for

cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee, the same as the House version.

² One-time funding is removed for installing audio and video recording equipment in committee rooms. A section of legislative intent is added that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session. The House also made these changes.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session, the same as the House version.
- Increasing the monthly limit on legislative lodging reimbursement from 65 to 70 percent of the state employee daily rate. The House had increased the rate to 75 percent of the state employee daily rate retroactively to January 1, 2013. The Senate did not change the current 65 percent rate.

Senate Bill No. 2001 - Legislative Council - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,336,986	\$8,336,986	\$323,874	\$8,660,860	\$8,564,026	\$96,834
Operating expenses	3,858,470	3,813,527	40,000	3,853,527	3,853,527	
Capital assets	25,000	25,000		25,000	25,000	
Accrued leave payments			143,087	143,087	143,087	
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
FTE	34.00	34.00	3.00	37.00	37.00	0.00

Department No. 160 - Legislative Council - Detail of Conference Committee Changes

	Adjusts State Employee Compensation and Benefits Package ¹	Provides Separate Line Item for Accrued Leave Payments ²	Adds Fiscal Analyst Positions ³	Adds Funding for Energy Meetings ⁴	Total Conference Committee Changes
Salaries and wages	(\$43,039)	(\$143,087)	\$510,000		\$323,874
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
Less estimated income	0	0	0	0	0
General fund	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees, the same as the House version.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment, the same as the House version.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition, the same as the House version.

A section added by the House authorizing the hosting of out-of-state dignitaries and the purchase of promotional items is not included in the Conference Committee version.

$$77^{00} \text{ per day} \times 30 \text{ Days} = 2310^{00} \text{ 4.2}$$

$$65\% \times 2310^{00} = 1501.50$$

$$70\% \times 2310^{00} = 1617^{00}$$

$$75\% \times 2310^{00} = 1732.50$$

$$\begin{aligned} 115.50 \times 120 \text{ people} &= 13,860^{00} \\ &\times 4 \text{ months} \\ \hline &55,440^{00} \end{aligned}$$

$$\begin{aligned} 231.00 \times 120 \text{ people} &= 27,720^{00} \\ &\times 4 \text{ months} \\ \hline &110,880^{00} \end{aligned}$$

$$\begin{array}{r} 75\% \\ 110,880^{00} \end{array} - \begin{array}{r} 70\% \\ 55,440^{00} \end{array} = \begin{array}{r} \text{DIFF} \\ 55,440^{00} \end{array}$$

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1516-1521 of the Senate Journal and pages 1594-1598 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 3, after the semicolon insert "to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to promotional expenses;"

Page 1, line 4, after "compensation" insert "and expense reimbursement; to provide legislative intent"

Page 1, replace line 18 with:

"Operating expenses	3,268,968	683,958	3,952,926"
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Page 1, replace line 21 with:

"Total general fund	\$12,025,211	\$1,896,760	\$13,921,971"
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Page 2, replace lines 3 through 9 with:

"Salaries and wages	\$7,574,331	\$1,086,529	\$8,660,860
Accrued leave payments	0	143,087	143,087
Operating expenses	3,305,520	548,007	3,853,527
Capital assets	<u>16,500</u>	<u>8,500</u>	<u>25,000</u>
Total all funds	\$10,896,351	\$1,786,123	\$12,682,474
Less estimated income	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Total general fund	\$10,826,351	\$1,786,124	\$12,612,475
Full-time equivalent positions	34.00	3.00	37.00"

Page 2, replace lines 14 through 16 with:

"Grand total general fund	\$22,851,562	\$3,682,884	\$26,534,446
Grand total special funds	<u>70,000</u>	<u>(1)</u>	<u>69,999</u>
Grand total all funds	\$22,921,562	\$3,682,883	\$26,604,445"

Page 2, replace lines 26 and 27 with:

"Information technology projects	<u>159,938</u>	<u>42,000</u>
Total general fund	\$2,242,706	\$542,000"

Page 3, line 18, replace "54-16-05" with "54-16-04"

Page 4, line 24, overstrike "sixty-five" and insert immediately thereafter "seventy"

Page 7, line 15, replace "sixty-five" with "seventy"

Page 10, after line 17, insert:

"SECTION 10. A new section to chapter 54-35 of the North Dakota Century Code is created and enacted as follows:

Legislative promotional expenses.

The legislative management shall establish a policy regarding promotional expenses made on behalf of the legislative assembly. Any expenditure made pursuant to this section must be reported to the legislative management. An expenditure under this section may not be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota.

SECTION 11. LEGISLATIVE INTENT. It is the intent of the sixty-third legislative assembly that the legislative management consider implementing during the sixty-fourth legislative assembly a limited bill analysis report pilot project to provide bill analysis reports similar to analysis reports prepared in other states."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Legislative Assembly						
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Legislative Council						
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
Bill total						
Total all funds	\$26,556,820	\$26,373,484	\$230,961	\$26,604,445	\$26,507,611	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$26,486,821	\$26,303,485	\$230,961	\$26,534,446	\$26,437,612	\$96,834

Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$9,205,759	\$9,205,759		\$9,205,759	\$9,205,759	
Operating expenses	4,367,319	4,228,926	(276,000)	3,952,926	3,952,926	
Capital assets	530,000	530,000		530,000	530,000	
National Conf of State Legislatures	233,286	233,286		233,286	233,286	
Total all funds	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$14,336,364	\$14,197,971	(\$276,000)	\$13,921,971	\$13,921,971	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes

	Adds Funding for Connectivity¹	Removes Funding for Audio/Video²	Total Conference Committee Changes
Salaries and wages			
Operating expenses	121,000	(397,000)	(276,000)
Capital assets			
National Conf of State Legislatures			
Total all funds	\$121,000	(\$397,000)	(\$276,000)
Less estimated income	0	0	0
General fund	\$121,000	(\$397,000)	(\$276,000)
FTE	0.00	0.00	0.00

¹ The operating expenses line item is increased by \$121,000 to provide a total of \$425,000 for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee, the same as the House version.

² One-time funding is removed for installing audio and video recording equipment in committee rooms, the same as the House version. A section of legislative intent added by the House that the Legislative Management not proceed with implementing a process to record and archive video of standing committee meetings during the legislative session is removed. The Legislative Procedure and Arrangements Committee may use funding available for legislative wing improvements to install audio and video recording equipment in committee rooms.

Sections are added:

- Providing legislative intent that the Legislative Management consider implementing a bill analysis pilot project for the 2015 legislative session, the same as the House version.
- Increasing the monthly limit on legislative lodging reimbursement from 65 to 70 percent of the state employee daily rate. The House had increased the rate to 75 percent of the state employee daily rate retroactively to January 1, 2013. The Senate did not change the current 65 percent rate.

Senate Bill No. 2001 - Legislative Council - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,336,986	\$8,336,986	\$323,874	\$8,660,860	\$8,564,026	\$96,834
Operating expenses	3,858,470	3,813,527	40,000	3,853,527	3,853,527	
Capital assets	25,000	25,000		25,000	25,000	
Accrued leave payments			143,087	143,087	143,087	
Total all funds	\$12,220,456	\$12,175,513	\$506,961	\$12,682,474	\$12,585,640	\$96,834
Less estimated income	69,999	69,999	0	69,999	69,999	0
General fund	\$12,150,457	\$12,105,514	\$506,961	\$12,612,475	\$12,515,641	\$96,834
FTE	34.00	34.00	3.00	37.00	37.00	0.00

Department No. 160 - Legislative Council - Detail of Conference Committee Changes

	Adjusts State Employee Compensation and Benefits Package¹	Provides Separate Line Item for Accrued Leave Payments²	Adds Fiscal Analyst Positions³	Adds Funding for Energy Meetings⁴	Total Conference Committee Changes
Salaries and wages	(\$43,039)	(\$143,087)	\$510,000		\$323,874
Operating expenses			15,000	25,000	40,000
Capital assets					
Accrued leave payments		143,087			143,087
Total all funds	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
Less estimated income	0	0	0	0	0
General fund	(\$43,039)	\$0	\$525,000	\$25,000	\$506,961
FTE	0.00	0.00	3.00	0.00	3.00

¹ This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

² A portion of salaries and wages funding from the general fund for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees, the same as the House version.

³ Funding is added for three new fiscal analyst positions and related operating expenses, including information technology and equipment, the same as the House version.

⁴ The operating expenses line item is increased by \$25,000 to provide funding for costs relating to legislators attending meetings of the Energy Producing States Coalition, the same as the House version.

A section added by the House authorizing the hosting of out-of-state dignitaries and the purchase of promotional items is changed to require the Legislative Management to establish a policy regarding promotional expenses.