

**2015 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1083**

# 2015 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Fort Union, State Capitol

HB 1083  
1/22/2015  
22417

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Carmen Hart*

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

Provide for a Legislative Management study of statutory and regulatory requirements placed on ND state government agencies by US government agencies.

## Minutes:

Attachment 1

**Chairman Kasper** opened the hearing on HB 1083.

**Rep. Rick C. Becker** appeared. Don't be confused by what is being passed out. Attachment #1. That is a House concurrent resolution from last session. I wanted to show that the wording is essentially the same as HB 1083. It is a "shall study." It is a legislative management study that looks at the statutory and regulatory requirements on the North Dakota state agencies by the federal government. Those that were in favor of the bill were looking for an overall assessment of the effects both financially and with regulations that the federal monies have on North Dakota. How much money do we get? How much money do we have to kick in to get that money? What regulations do we have to employ, and what do those regulations cost? The HCR from 2013 passed in the House committee 11-2. It passed in the House 78-15, passed in Senate and then voice vote in Senate and that was a "shall consider." Management chose not to study it. What we are looking at today is whether the committee and subsequently the House body feels that this type of study warrants a "shall study."

**Rep. Wallman** Is there a fiscal note or a cost assessment that goes with this mandatory study?

**Rep. Rick C. Becker** No.

**Rep. Wallman** You haven't asked how much this would cost?

**Rep. Rick C. Becker** I have not asked nor have I been directed that there would be a specific cost. As far as I am aware, studies that the legislative management perform don't have fiscal notes.

**Chairman Kasper** That's correct.

**Rep. Wallman** Do you know why they chose not to study it?

**Rep. Rick C. Becker** I do not know.

**Rep. Steiner** Did you consider also studying what the state does that affects property tax at the local level?

**Rep. Rick C. Becker** I have considered that on my own time with what respect we do here. Within this bill 1083 I have not considered that.

**Chairman Kasper** Did you ask Legislative Council to give you any information on some of the federal requirements or funding that we are receiving or would you suspect that if we pass the bill and the study is required, that is what we ask them to get the information on?

**Rep. Rick C. Becker** That 's exactly right.

No opposition.

The hearing was closed.

**Chairman Kasper** Legislative Management will receive all kinds of directives on studies. If we pass it and the House and the Senate passes it, they will be required to do this study. I think it would be a worthwhile study.

**Rep. B. Koppelman** made a motion for a DO PASS.

**Rep. Dockter** seconded the motion.

**Rep. Schneider** Does the lack of a fiscal note--I understand by procedure, but it kind of bothers me because I think this would take quite a bit of work from each of the agencies perhaps and other entities that receive federal dollars. I am not sure without a clear assessment of where we are going with that, that it would be justified.

**Rep. B. Koppelman** I have a different perspective on that. We have gone two years now and failed to study this. If we go another two years and accept another new federal program or continue on a line of one that we already have and if funding drives up, we could spend much more by making bad decisions and not even knowing we are making bad decisions in the interim if we don't study this.

**Rep. Amerman** I am curious if there are some federal programs that we are now currently receiving money? We might not receive that anymore, so we will have to come up with something on the state level.

**Rep. Schneider** I'd also be curious about how much federal money we turn down, because we don't apply for it because of concerns about strings and regulations? Is it possible to amend it to make that part of the study as well?

**Chairman Kasper** If you wish to propose an amendment, this would be the time to do it.

**Rep. B. Koppelman** I don't know if that is proper procedure being we have a motion and a second.

**Chairman Kasper** That is what I indicated.

A roll call vote was taken. 13 Yeas, 1 Nay, 0 Absent.

**Rep. Schneider** will carry the bill.

Date: 1-22-15  
 Roll Call Vote #: \_\_\_\_\_

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1083**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Koppelman    Seconded By Dockter

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman	X	
Vice Chair Karen Rohr	X		Rep. Gail Mooney	X	
Rep. Jason Dockter	X		Rep. Mary Schneider	X	
Rep. Mary C. Johnson	X		Rep. Kris Wallman		X
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Jay Seibel	X				
Rep. Vicky Steiner	X				

Total (Yes) 13    No 1

Absent 0

Floor Assignment Schneider

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

**REPORT OF STANDING COMMITTEE**

**HB 1083: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1083 was placed on the Eleventh order on the calendar.

**2015 SENATE JUDICIARY**

**HB 1083**

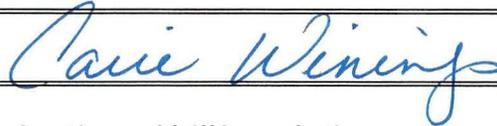
# 2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Missouri River Room, State Capitol

HB 1083  
3/26/2015  
Job # 25447

- Subcommittee  
 Conference Committee

Committee Clerk Signature



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

A BILL for an Act to provide for a legislative management study of statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies.

## Minutes:

No Attachments

**Chairman Dever:** Opened the hearing on HB 1083.

**Representative Becker, District 7:** Testified as sponsor and in support of the bill. These bills will not require a lot of introspection regardless of how you feel about them. This bill is for a study of the statutory, regulatory requirements placed on North Dakota state government agencies by US government agencies as a condition of the receipt of federal funding. The idea behind this comes from the time I have spent in the Transportation Committee and there are a lot of regulations that were not useful except for the fact that they had to do with federal funding for programs. In order to be good stewards of our money we really need to know how much is coming in, how much are we matching to get that "free" money and what are the regulations of that and the cost of implementing the regulations to get that money. We need to have a good handle on if it is a net gain for us to be in receipt of these monies as a state.

**(2:12)Chairman Dever:** I know we have had issues that we have had to act on like seat belt laws and DUI laws that really grate on me.

**Representative Becker:** This was brought forward as a resolution last session and was passed in both chambers but it was not studied.

**Senator Flakoll:** Is part of your intent of the study to those associated effects on another agency?

**Representative Becker:** Absolutely. I think over time what may have been a wise decision at one point over the course of year after year maybe now a little bit more is required and another regulation is instituted to continue getting those monies. It could be the way as

current situation is now we would not have accepted that money because new things have occurred and we have not reviewed it.

**Chairman Dever:** I see the bill was introduced at the 2000 versions so it was not amended in the House?

**Representative Becker:** Correct.

**Chairman Dever:** Closed the hearing on HB 1083.

**Senator Poolman:** Moved a Do Pass.

**Senator Flakoll:** Seconded.

**A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.**

**Motion Carried.**

**Senator Flakoll will carry the bill.**

3/26

Date:  
Roll Call Vote #:

2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1083

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:     Reconsider     \_\_\_\_\_

Motion Made By Poolman    Seconded By Flakoll

Senators	Yes	No	Senators	Yes	No
Chairman Dever	✓		Senator Marcellais	✓	
Vice Chairman Poolman	✓		Senator Nelson	✓	
Senator Cook	✓				
Senator Davison	✓				
Senator Flakoll	✓				

Total (Yes) 7    No 0

Absent 0

Floor Assignment Flakoll

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

**REPORT OF STANDING COMMITTEE**

**HB 1083: Government and Veterans Affairs Committee (Sen. Dever, Chairman)**  
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1083 was placed on the Fourteenth order on the calendar.

**2015 TESTIMONY**

**HB 1083**

#1  
HB 1083  
1-22-2013

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE CONCURRENT RESOLUTION NO. 3038  
(Representatives Becker, Brabandt, Headland, Heller,  
B. Koppelman, K. Koppelman, Rohr, Ruby, Schatz, Toman)  
(Senators Larsen, Miller)

A concurrent resolution directing the Legislative Management to study the statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies as a condition of the receipt of federal funding to determine whether there are viable options to meet the needs of our state without having the federal government's oversight and involvement, which state needs can be met if federal funding associated with undesirable regulation or excessive direct and indirect costs are refused, and whether the federal fiscal impact is a significant and necessary factor in assenting to the continuance of federal government involvement in the state's management processes.

**WHEREAS**, the budget surplus and strong economic vitality of the state has placed North Dakota in a position in which the state can potentially tend to more of its needs independent of sometimes onerous federal statutory and regulatory requirements and the oversights and controls placed on state agencies as a condition of receipt of federal funding; and

**WHEREAS**, a tenet of fiscal responsibility is to take care of one's own needs as much as possible with one's own resources before seeking assistance from outside sources; and

**WHEREAS**, state agencies have demonstrated the ability to take care of the state's needs much more efficiently and effectively when allowed to do so with minimal control and oversight from the federal government; and

**WHEREAS**, federal debts and deficits are at levels that are unsustainable and are placing a tremendous burden on our future generations; and

**WHEREAS**, we have a responsibility to do what we can in this state to reduce the burdens we place on the federal budget wherever possible while still seeing to the needs of our state and its citizens;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Management study the statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies as a condition of the receipt of federal funding to determine whether there are viable options to meet the needs of our state without having the federal government's oversight and involvement, which state needs can be met if federal funding associated with undesirable regulation or excessive direct and indirect costs are refused, and whether the federal fiscal impact is a significant and necessary factor in assenting to the continuance of federal government involvement in the state's management processes; and

**BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixty-fourth Legislative Assembly.