

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3043

2001 HOUSE FINANCE AND TAXATION

HCR 3043

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3043

House Finance and Taxation Committee

Conference Committee

Hearing Date February 12, 2001

Tape Number	Side A	Side B	Meter #
1	X		4,893
Committee Clerk Signature <i>Jamie Stein</i>			

Minutes:

REP. AL CARLSON, CHAIRMAN Opened the hearing.

REP. GEORGE KEISER, DIST. 47, BISMARCK Introduced the resolution. This resolution would ask the legislative council to study during the next interim, the entire fiscal note process. How they are being used, how reliable and valid. And, also to consider the process by which fiscal notes are generated. Normally, we go to the departments relatively quickly, a bill comes out, someone recognizes there might be a cost associated with it, it goes to the department, the department scurries and prepares some idea of what the fiscal note is. We have death by fiscal notes and life by fiscal notes. When a department really wants a project, I believe they really underestimate the fiscal impact, and I think, there are certainly times when a department opposes a particular piece of legislation policy, then they introduce a fiscal note which will be sure to kill it. He went on to explain how one of his bills lost because of a fiscal note. I think there is a problem in the process by which fiscal notes are generated.

REP. DROVDAL You made a comment, if the study is selected as one of the interim studies, as I read this resolution, it dictates it will be a study, it doesn't say may or should or can, it says it will.

REP. KEISER I can't answer that, I presented it to the Legislative Council, so I am not sure.

REP. CARLSON Are you assuming there will be a list of criteria then, what is the end result?

REP. KEISER There are two end results, first, the entire process would have to be reviewed. Criteria would have to be developed. What criteria are we using, if any at all. How can we improve on those criteria, and thereby, improve the process. The second outcome is the selection of fiscal notes, and track the fiscal notes, in terms of whether they were high or low, so that in future sessions we can begin to have some degree of confidence in the fiscal note process.

REP. WINRICH Your resolution has the standard further resolved clause in here, about presenting recommendations for any legislation, etc., is the fiscal note process defined in legislation or is it simply an administrative process.

REP. KEISER I don't know the answer to that. Just from my experience, if there is a cost required, you get a fiscal note.

REP. WINRICH I think the limit might be in code.

REP. KEISER As a policy, the leadership sets a limit, and at a certain point, it is referred to appropriations.

REP. SCHMIDT I always felt, without a fiscal note, legislation doesn't get studied like it should.

REP. KEISER I couldn't agree more, this resolution doesn't want to eliminate fiscal notes.

WADE WILLIAMS, ASSOCIATION OF COUNTIES, Testified in support of the resolution.

He stated if there is a study, that serious consideration be given to political subdivisions, now as you know, when we get a fiscal note that affects cities or counties, or school districts, we are not able to determine the impact. We would like a little more effort made in those types of fiscal notes, if they would contact the political subdivision, they certainly could come up with a little better idea in the cost of the impact.

RON TOLSTAD, STATE AUDITOR'S OFFICE, Appeared in a neutral position. He stated when they do performance audits, they do not charge the agencies for the audits. They normally work with the legislative audit to determine which performance audits should be done. They are done free to the agency.

REP. CARLSON If the legislative council picks this as a study, and they say, track these ten fiscal notes over the course of the biennium, you wouldn't require any additional time and people to do that.

RON TOLSTAD No we wouldn't. As I see it, I think this is a good resolution. There is that aspect to see if there really is a problem. The most important thing is the process, is there a better process or more guidance.

With no further testimony, the hearing was closed.

COMMITTEE ACTION Tape 1, Side B, Meter #258

REP. WINRICH Made a motion to amend the resolution by stating that the legislative council may use the services of the state auditor in auditing for a performance standpoint.

REP. CLARK Second the motion. **MOTION CARRIED BY VOICE VOTE.**

REP. WINRICH Made a motion for a **DO PASS AS AMENDED.**

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House Finance and Taxation Committee
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REP. RENNERFELDT Second the motion. MOTION CARRIED.

14 YES 0 NO 1 ABSENT

REP. LLOYD Was given the floor assignment.

Date: 2-12-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3043

House FINANCE & TAXATION Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number 13103.0101

Action Taken Do Pass as amended

Motion Made By Rep. Winrich Seconded By Rep. Rennerfeldt

Representatives	Yes	No	Representatives	Yes	No
CARLSON, AL, CHAIRMAN	✓		NICHOLAS, EUGENE	A	
DROVDAL, DAVID, V-CHAIR	✓		RENNER, DENNIS	✓	
BRANDENBURG, MICHAEL	✓		RENNERFELDT, EARL	✓	
CLARK, BYRON	✓		SCHMIDT, ARLO	✓	
GROSZ, MICHAEL	✓		WIKENHEISER, RAY	✓	
HERBEL, GIL	✓		WINRICH, LONNY	✓	
KELSH, SCOT	✓				
KROEBER, JOE	✓				
LLOYD, EDWARD	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep. Lloyd

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

REPORT OF STANDING COMMITTEE (410)
February 12, 2001 1:00 p.m.

Module No: HR-25-3047
Carrier: Lloyd
Insert LC: 13103.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HCR 3043: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3043 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "expend, from funds otherwise available to the Legislative Council, up to \$15,000 for" with "use the"

Renumber accordingly

2001 SENATE APPROPRIATIONS

HCR 3043

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR3043

Senate Appropriations Committee

Conference Committee

Hearing Date March 20, 2001

Tape Number	Side A	Side B	Meter #
Tape #2	x		2.6 - 5.5
Committee Clerk Signature <i>James R. [Signature]</i>			

Minutes:

Senator Nething opened the hearing on House Concurrent Resolution # 3043.

Representative George Keiser, District 47, Bismarek; primary sponsor of the resolution testified for the bill, need for the study.

He believes the information is important, however, during his 5 legislative sessions there is some frustration on the "death or life" given a bill because of the fiscal note. Believes it is appropriate to take an overall look on the process; the preparation of fiscal notes--source of documentation etc.

Wade Williams (Lobbyist #113), North Dakota Association of Counties, Inc and The North Dakota County Commission's Association Incorporated, testified in support of the bill. Study is needed -- the impact has no way to assess.

Hearing no additional requests to testify, Senator Nething closed the hearing on HCR3043.

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Senate Appropriations Committee
Bill/Resolution Number HCR3043
Hearing Date March 20, 2001

March 20, 2001 Full Committee Action (Tape #2, Side A, Meter No. 5.5-50.7 - second to end of actions taken)

Senator Nething reopened the hearing on HCR3043.

Review of the proposed resolution, followed by discussion. Senator Schobinger moved a DO PASS, seconded by Senator Holmberg. Call for vote: 11 yes; 0 no; 3 absent and not voting.

Senator Heitkamp accepted the floor assignment.

Date: 3-20-01

Roll Call Vote #: _____

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

Senate Appropriations Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Roll Call

Motion Made By Senator Andrist Seconded By Senator Heitkamp

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg					
Russell T. Thane					
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman					
John M. Andrist	✓				

Total Yes 11 No 0

Absent 0

Floor Assignment Senator Heitkamp

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

REPORT OF STANDING COMMITTEE (410)
March 20, 2001 12:47 p.m.

Module No: SR-48-6132
Carrier: Heltkamp
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3043, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HCR 3043 was placed on the Fourteenth order on the calendar.