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ROLL NUMBER

DESCRIPTION

1018

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Deanna G. Bell
Operator's Signature

10/30/03
Date

2003 HOUSE APPROPRIATIONS

HB 1018

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10/30/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1018

House Appropriations Committee
Education and Environment Division

Check here for Conference Committee

Hearing Date January 17, 2003

Tape Number	Side A	Side B	Meter #
1	X		
Committee Clerk Signature <i>Collette Keller</i>			

Minutes:

Chairman Martinson opened the hearing on HB 1018. All members of the committee were present.

Allen Hoberg Director, Office of Administrative Hearings, testified in favor of HB 1018 and provided prepared testimony in support thereof.

Rep. Wald Are all of these judges law trained?

Hoberg All of the temporary judges are. One is not law trained, that person was grandfathered in. The law now requires that anyone hired has to be law trained.

Rep. Wald What are the Administrative Law Judges (ALJs) doing for office space in the eastern and western North Dakota locations?

Hoberg The ALJ in the east is working out of the home, the ALJ in the west is working out of the home and telecommuting.

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Education and Environment Division
Bill/Resolution Number 1018
Hearing Date January 17, 2003

Rep. Wald Where would the hearings take place?

Hoberg Always in a government office or a court reporter's office.

Rep. Wald Where do you intend to house one in the western part of the state?

Hoberg I don't know. It could be anywhere.

Dave Thiele Representing North Dakota Worker's Compensation Bureau testified in favor of HB 1018. His biggest concern is quality. If quality counsel is hired, there will be better decisions overall.

Rep. Aarsvold had a question with regards to the possible passing of HB 1044 relating to the office of administrative hearings and indigent defense contract.

Allen Hoberg We are now testifying in favor of this bill. We would be managing it. It would be a contract with us instead of with the courts.

Rep. Aarsvold There seems to be a thread of continuity between judge services and indigent defense.

Hoberg When the judge appoints, they appear in front of the judges a lot.

Chairman Martinson closed the hearing on HB 1018.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1018

House Appropriations Committee
Education and Environment Division

Check here for Conference Committee

Hearing Date February 5, 2003

Tape Number	Side A	Side B	Meter #
1		X	
Committee Clerk Signature <i>Celeste Keller</i>			

Minutes:

Chairman Martinson opened discussion on HB 1018, Office of Administrative Hearings. See Standing Committee Roll Call Votes.

Rep. Aarsvold 1044 also becomes intertwined here and I am wondering if we want to consider them together?

Chairman Martinson What was 1044?

Rep. Aarsvold Apparently they are going to be hiring fewer part-time administrative hearing judges and going to more in house. They think they can do that more economically.

Chairman Martinson If we have a motion on 1018, I think we can probably act on it and send it to the full committee.

Rep. Aarsvold I think the fiscal note reflects the increase of 2 FTE's, but then that is the result of the 1044 request. I would move a do pass on HB 1018.

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Education and Environment Division
Bill/Resolution Number 1018
Hearing Date February 5, 2003

Chairman Martinson Is there a second?

Rep. Wald Second.

Chairman Martinson Is there any discussion? Asked clerk to call the roll.

Clerk called the roll.

ROLL CALL VOTES

7 YES 0 NO 0 ABSENT

Chairman Martinson Who would present this to the full committee?

Rep. Aarsvold I will.

Chairman Martinson closed discussion on HB 1018.

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Deanna O'Connell
Operator's Signature

10/30/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1018

House Appropriations Committee

Conference Committee

Hearing Date 02-17-03

Tape Number	Side A	Side B	Meter #
1	X		0.0-8.0
Committee Clerk Signature <i>Chris Nye</i>			

Minutes:

Chairman Svedjan Opened HB 1018 for discussion. A quorum was present.

Rep. Martinson I move a Do Pass As Amended. 2nd by **Rep. Brusegaard**. Motion Carries

22-0-1. Rep. Aarsvold will carry this bill on the floor.

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Deanna Hill
Operator's Signature

10/30/03
Date

38018.0105
 Title.0200
 Fiscal No. 4

Prepared by the Legislative Council staff for ^{VK} 2/17/03
 Representative Aarsvold
 February 14, 2003

HOUSE AMENDMENTS TO HOUSE BILL NO. 1018 Approp 2-17-03

Page 1, line 5, after "moneys" insert "in the general fund in the state treasury, not otherwise appropriated, and"

Page 1, line 9, replace "949,968" with "1,092,106"

Page 1, line 10, replace "313,621" with "3,299,168"

Page 1, line 11, replace "special funds appropriation" with "all funds" and replace "1,263,589" with "4,391,274"

Less estimated income 1,248,095
 Total general fund appropriation \$3,143,179

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1018 - Office of Administrative Hearings - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$949,968	\$142,138	\$1,092,106
Operating expenses	<u>313,621</u>	<u>2,985,547</u>	<u>3,299,168</u>
Total all funds	\$1,263,589	\$3,127,685	\$4,391,274
Less estimated income	<u>1,263,589</u>	<u>(15,494)</u>	<u>1,248,095</u>
General fund	\$0	\$3,143,179	\$3,143,179
FTE	8.00	1.00	9.00

Dept. 140 - Office of Administrative Hearings - Detail of House Changes

	REMOVES RECOMMENDED SALARY INCREASE ¹	INCREASES SALARIES AND ADDS FTE ²	ADDS FUNDING FOR INDIGENT DEFENSE FEES ³	DECREASES FUNDING FOR COMPUTER MAINTENANCE CONTRACT ⁴	TOTAL HOUSE CHANGES
Salaries and wages	(\$10,494)	\$152,632			\$142,138
Operating expenses			<u>\$2,990,547</u>	<u>(\$5,000)</u>	<u>2,985,547</u>
Total all funds	(\$10,494)	\$152,632	\$2,990,547	(\$5,000)	\$3,127,685
Less estimated income	<u>(10,494)</u>			<u>(5,000)</u>	<u>(15,494)</u>
General fund	\$0	\$152,632	\$2,990,547	\$0	\$3,143,179
FTE	0.00	1.00	0.00	0.00	1.00

- ¹ This amendment removes the Governor's recommendation for state employee salary increases.
- ² This amendment increases funding for salaries and wages and adds an FTE position for administering the indigent defense contracts.
- ³ This amendment adds funding for indigent defense fees, relating to the provisions of House Bill No. 1044, which transfers these responsibilities from the judicial branch.
- ⁴ This amendment decreases the operating line item by \$5,000 relating to a computer maintenance contract.

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Deanna Aarsvold
 Operator's Signature

10/30/03
 Date

Date: February 5, 2003
Roll Call Vote #: 1

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1018**

House Appropriations Education and Environment Division Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Aarsvold Seconded By Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Representative Martinson	X				
Representative Brusegaard	X				
Representative Monson	X				
Representative Rennerfeldt	X				
Representative Wald	X				
Representative Aarsvold	X				
Representative Gulleson	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Rep. Aarsvold

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

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Deanna Gulleson 10/30/03
Operator's Signature Date

