

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2257

2007 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2257

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2257**

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: **January 22, 2007**

Recorder Job Number: **1564**

Committee Clerk Signature



Minutes:

S Joel Hietkamp, Sponsor of Bill - In support

TESTIMONY # 1 PERFORMANCE AUDIT REPORT FOR WSI

Bi-partisan bill, cause is why WSI should be placed back under the Governor Hoven's control.

It "undoes" what happened in 1997 when we took control away and overrode Governor Schaefer's veto. We need it. We place the person responsible at the ballot box. We need to put someone accountable back in charge. By placing Governor back in charge, we place a person back in charge. Suggested to read "1" on the Procurement System.

Covered pages:

17

21 – internal investment, 20 – retro pay, 23 – lesser penalties, 25- , 26- high rate turnover, 27 – moving buddies, 30 – providing leadership.

Pay went up 26% and employees were fearing retaliation.

32 – bonuses, 33 - , 34 – fear of upper management. Their reaction is: "got it wrong." Take it under advisement and ask committee, "What grade would you give?" These are serious

charges that need to take seriously. Editorials fill papers asking for change. WSI says

"Change is not needed." Then why are claims being denied. This is a product fo both political

parties. None of these issues can be fixed until we make it accountable. The bill puts a name accountable in place, voted in at the ballot box where people have a say.

I get flooded with calls, calls from people who want to come in and testify. I didn't want it to turn into an "example" day. Fund is good, gets people riled up. Doesn't take away the changes we might have made in WSI other than put someone accountable for WSI in charge.

S Andrist: I know there are a number things that you think are wrong with the agency, but you haven't really told us what the bill does. What does it do? Am I right, it does away with the governing board and replaces it with an advisory board.

S Heitkamp: Yes. It's that simple. Undoes what we did in 1997, but gives that advisory board so that the Governor has members of Industry and Labor and other people to listen to.

Senator Nething – State Senator, District 12

S Klein: Committee, as you review those responses in the summary, make sure you follow the entire response, there is more on the back in the back that explains their position.

S Nething: I'm on the bill because I think it's the right thing to do. Retired lawyer and did not practice comp law in my law practice, and did not have any first hand experience from that prospective. [example 14:48m] Nor have I worked from the claimants perspective. Talk to you of legislative experience. Seen changes and how it changed accountability from elected officials to non-elected officials. We need to find a better balance on how the agency is administered. It's time to bring back to office of the governor. Thought we could do it in legislative overview, it wouldn't work; we are not the legislative branch of the government.

The governor is the chief executive. The Highway Dept has special dedicated funds, Job Service has special funds and is run by the direction of the Governor.

WSI is a single office, "Who's going to run it." We need to have a #1 person, Chief Executive to have # 1jurisdiction. We're ready for a change to bring the pendulum back.

S Andrist: I'm ½ persuaded. I want to give the agency a chance to respond. I'm hesitant to remove the governing board.

S Nething: I think the advisory board would be replacement to the governing board.

Representative Bill Amberman, District 26 - In Favor

There comes a time in everyone's life, personal or professional mistake and you could do it over, the 60th legislature has the opportunity to go back and give it back to the Governor.

Edward T Schafer – former Governor - In Favor

TESTIMONY # 3

3 areas: 1. Accountability, 2. Balance, 3. Long term efforts. Covered testimony.

Agency is not accountable. A business unit needs to be accountable. Competition holds you accountable. It is set up as monopoly. WSI not accountable to the people. [29:40m refers to 2nd payment from bottom, page 1, T#3; last paragraph page 2, T#3] Where do they go? OIR office of independent review. When the Governor was accountable he was held accountable by the people. [31:090m 2nd to last paragraph, page 2] Employees in WSI make more money than other agencies. CEO gets 4X increased when was removed from Governor's overlook. In one year it jumped to a 50% increase in pay.

The claims are the same, the business is the same, why do we need more people? I wouldn't be here if there weren't unhappy people. Supreme Court has not heard, they will allow lawsuits. [refers to movie 35:54m] Movie, "A few good men," is about marines who over time became corrupt as a person was held accountable from following orders got discharged. The statement was: "We were supposed to fight for the people who couldn't fight for themselves." Set aside your past votes. Vote to bring accountability back to WSI.

S Potter: Heard that premiums are down, reserves are up, how much are due to reports?

G Schafer: It's running well now, we have good people in charge, agency that's running well, premiums are held in check. There are people who aren't satisfied with the results from their claims at WSI. The agency is running well. If the agency doesn't run well sometimes, where do you go? No way as legislators you can affect that. When the Schafer administration there was a deficit at the agency and over the time, 1994 until 1997 when removed from the Governor's cabinet, the fund moved from approximately 230 million to 270 million increase. That was good on stock market, made good investments.

[Explained holding taxes/increased fees back, so economics can move forward]

S Behm: Why was it removed from the Governor in the first place?

G Schafer: [42:20m told story]

S Klein: The Governor had the idea to create a smooth flowing organization that was being run as a business and insurance company and politics should stay out of it. We wouldn't have a new appointee at the whims of the Governor. We had injured workers then, same bills introduced, we have issues, we have emotionally charged issues. People's lives are affected. We're here to help our constituents.

S Potter: 3 questions 1. Did I heard you imply that even if the legislature would reject for IFT's, you think the board could go ahead and WSI still do it?

G Schafer: I think we've shown it in the past. Yes.

S Potter: In relationship between WSI and higher education. Board of WSI cannot be recalled.

G Schafer: Yes.

S Potter: You're the only governor here right now, but the next governor will he pay attention to this issue?

G Schafer: The ballot box will be the competition.

S Klein: Go back 10 years, didn't we learn or hear more from talk radio, a lot of what we do is based on what we hear today. A lot of what we do is generated by what we hear.

G Schafer: That's why I'm here today. The people will make the decision.

S Andrist: Have you thought about middle ground, the advisory boards are semi-worthless, based on your frame of reference for administration, do you think it's conceivable to make an appointment by the governor and have the governing board that will direct him?

G Schafer: [49:14m] Examples of appointments. Make make responsible to people.

John Smith – had injured wife – “Flying Farmer with Car Jumps” - In Favor

Injured workers have no where to go. This is a democracy and we should have checks and balances. If voters had a say, it would be resolved. I'm doing a jump and all proceeds will go to injured workers of ND. People have no say for the injured worker.

Sebald Vetter – CARE – In Favor

Thank you Governor Schaefer. Done a wonderful job. If you don't do anything, you'll have trouble, we're already there. If you go back through the audit, when a man makes a mistake, he gets a bonus. It's like stealing. Report of injured owrkers. 1009 workers
2466 – 2006 – 6 injuries, 2002 – 7 injuries. 20,000 people claimed as they were injured, that's why the fund is looking now. Don't get to talk at public meetings, it is out of hand. Report on wage increase. 21% - 11% -0 22% In 2006 the wages went up 5%, got 2 increases in one day. He received 7 increases in 1 year. We ask for help and we don't get it.

Rebekka Jokum – College Student - In Favor

TESTIMONY # 4 Went over testimony. Told of her experience with her husband.

Told about the audit report for WSI. [references were 2nd hand information]

S Klein: You quoted news articles, letters to editor, . com, how was your husband treated, was the final solution ok?

C Nelson: Yes, I believe so.

S Klein: So you have no other experience than what you've been reading in the newspaper and hearing?

C Nelson: Some of the instances I don't know the complete details of on my fellow employees and doing research about the results fo the audit and comments that were made.

S Klein: Did you also study the other audit, the Octagon Risk Services audit which dealt with what we're doing with injured workers, the second audit heard that afternoon?

C Nelson: No

S Klein: So you only listened to one audit.

S Heitkamp: Do you know who who asked for and paid for the other audit?

C Nelson: No.

S Heitkamp: Chairman Klein, do you?

S Klein: I believe that's required by US.

S Heitkamp: So WSI required it, or...

S Klein: We as the Legislature have required that Octagon Risk services perform the audit.

S Heitkamp: And it was paid for by WSI?

S Klein: Yes, I believe so.

Christina Nelson - In Favor

TESTIMONY # 5 Went over testimony [1:05:31m]

OPPOSITION

Bob Indvik - WSI Chairman, Board of Directors - In Opposition

TESTIMONY # 6 Went over testimony [1:10:00m]

Covered the power of WSI. We believe we are professional promoters. [1:18:19m shows how they "saved" money, used examples] Asked by Legislature to get review. For intent, see audit 1992. PPI & PPD's Octagon review. Talks about questions on benefits and how the board is structured. People write the policy and board has nothing to do about setting policy – "we administer." Subject: claims, there needs to be credible, competent evidence on the claims. Ex: Firefighter claim – what was the evidence?

Benefits structures [1:20:40m] covered testimony

[1:28:00m] State audit covered and recommendations. Take audits and performance reviews seriously. Have recommendation numbers and our action plan. We will respond to each and every recommendation. Have consultants and advisors, we seek their advice to . provide the best service.

S Heitkamp: You refer to 1992, why not 1997 like Gov. Schafer makes reference to.

B Indvik: We took the worst.

S Heitkamp: 1992 – 1997 a number of those reforms came in. We look at the information as board, you brought in a consultant to tell you what to pay upper level management, board went above and beyond. Why is that?

B Indvik: Let me see that report..

S Heitkamp: I can make that available.

B Indvik: I'm not aware of a report that we went above and beyond.

S Heitkamp: Do you believe salaries are justified going back all the way through what the audit report, taking it serious when you look at the moral of the lower level employees and where they had to have a debate over the 4 & 4 raise in the Attorney General's opinion to get there.

B Indvik: The 4 & 4 raise was above and beyond what we'd already given them as far as performance raises. [91:04m explains]

S Heitkamp: CEO compensation, around \$163,560. You think that it should be that?

B Indvik: I did not compare it to other state employees. It was suggested.

S Heitkamp: Why should one agency get special treatment?

B Indvik: If we are in a position to have someone of that quality, that's what we went looking for.

S Potter: You are head of a state agency. Who are you accountable to? If you see clear criminal activity, would you find out who has been leaking wages at WSI. Isn't that a violation of human rights, has no one been responsible.

B Indvik: Accountable to you, this group, Legislature, people of this state.

S Potter: So as soon as we go home, you're not accountable to anybody?

B Indvik: No, it's never ending.

S Potter: On the face of the audit, I see clear faced criminal activity and there's no denying the fact. The staff sent out investigators to find out who had been leaking information about wages at WSI. The only reason to find out who this is, so that you can violate the human rights, the employment rights of the individual rights when you found that out by incriminating them. No one has been held responsible.

B Indvik: Belief was that a criminal activity took place in the spanning of that information. Was the start of the investigation and went until the investigator said there is no criminal activity, stop the investigation.

S Potter: These are state employees who were sent out to violate the human rights of the individual who did that. So you can do it because you thought it might be another kind of crime?

B Indvik: We were lead to believe that it was a criminal activity.

S Potter: So a fraud investigator can look at any kind of crimes?

B Indvik: No, it had to been an administrative within the SIU discussion if they should proceed or not. There would have had to have been a discussion.

S Heitkamp: Is there ever a time when WSI should be able to use their investigative powers and budget to make copies of an individuals drivers license and go to libraries to check and see if these people have been using their rights in the open records?

B Indvik: Only if you believe a crime has been committed.

S Heitkamp: What crime could they possibly commit by accessing the salaries of the management they are under?

B Indvik: We don't believe that was the criminal part of it. We thought it was spamming.

S Heitkamp: When you say the "spamming," by them taking what is a public document and sending to all of us, if they so choose to, that's spamming. Why is that criminal? It's a public document what these individuals make.

B Indvik: It's not WHAT they sent, it was not illegal, but improper.

S Heitkamp: Why use special investigators to do the work?

B Indvik: It won't happen again.

Dick Johnson – Legislative Committee - ND Motor Carriers Association - In Opposition

TESTIMONY # 7 [1:42:12m] Covers testimony.

S Klein: In your job, job is to be sure the laws are enforced?

D Johnson: Benefit structure is set up by the board. Board sets outcomes and goals and cannot micromanage nor go beyond what current law is.

Bill Shalhoob – ND Chamber of Commerce - In Opposition

TESTIMONY # 8 [1:44:20m] Testimony

We don't have buyer's remorse. Refers to Senator Nething's talk earlier [examples 1:47:00m]

This is insurance and insurance matters. There were things in 1997 that needed to be changed. We have a confident, reliable staff. Asked for a DNP.

CLOSED until PM session.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2257 pm**

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: **January 22, 2007**

Recorder Job Number: **1599**

Committee Clerk Signature

Minutes:

Continuing conversation with Bill Shalob

S Klein: There were some questions Senator Heitkamp had for Bill [Shalob].

S Heitkamp: I'll say it as he's walking up. Bill was kind enough to share the process how they come to testify in favor of these or not. You gave us the list for that. I noticed on the list, when it comes to the Workforce Safety and ND Chamber of Commerce

When you break it down, over ½ of those are lobbyists. Is that the norm?

B Shalob: Lobbyists represent employer groups. If an employer doesn't want to do this, doesn't feel they have the time, they have better things to do, they send their paid representative to represent them. There is a mix.

S Heitkamp: Talked about the process, either for employees or employers.

B Shalob: We're for the employees. We want them to be taken care of for timely handling. Want inquiries to be taken care of.

S Heitkamp: Been contacted by corporations to help take care of this.

B Shalob: There are ways to get there.

Russ Hanson – OPPOSITION

Requested to check the roster.

Ron Ness – ND Employment Council – OPPOSITION

All the issues will NOT go away, there are issues that need to be worked on. Suggest reject the bill.

S Heitkamp: You think a bill that places WSI that places back under the Governor's control would go away if passed this legislative session?

R Ness: The issue is of injured workers and premiums and working toward a better process at the bureau.

S Heitkamp: have you read the complete auditors report?

R Ness: Portions, yes. I wonder has it improved or not?

S Heitkamp: You have not read it all?

R Ness: No.

Tom Balzer – NDMCA – OPPOSITION

In the process, the audit is a result and I did read the audit.

S Klein: Did you read the Octagon Risk Services audit also?

T Balzer: I scanned through it.

S Klein: Because generally that talks about how we deliver services to injured workers.

T Balzer: It was a fact-finding, road map for future success for the organization.

Carlee MacLeod – OPPOSITION

TESTIMONY #9 Stands in opposition.

Gordy Smith – Auditors Office – Neutral

No prepared testimony. The message is in the people's testimony. WSI is reviewing the audit.

Only one audit, Octagon performance. The difference is between an audit and evaluation is

that the audit has to follow consistent national standards that relate to quality control. The use

expertise in the audit. We asked WSI for input to help management improve. They had no areas to offer. I developed 8 areas. Some are covered by law. Rejected 3 areas: 1. Info tech 2. Human resources 3. Procurement

Pulled them out of the bids that were received, that reduced the bid price by \$75,000 so we were able to save them some money. From our perspective, the audit committee chair made unprofessional, inappropriate comments during the public meeting of the audit committee at the beginning of the audit, the director and the board chair made additional comments that we felt were unproductive and unprofessional. Clearly indicated that the audit was not welcome.

S Heitkamp had a question on raises that were given above the consultant recommendations, Page 19 poses examples. [13:46m cited examples relating to pay increases]

WSI was unable to provide support for the amount of those excesses to us, and those raises were provided retroactive. The board chair also testified that splitting the bids, they were able to save \$20,000. This would be news to the audit team because the incident that we site on the report on page 3, they were going to bid out a training session and what they did was take the training session and bid out the speaker, and bid the materials second bid. If you would combine them as you normally would see, it would have come to \$25,000.

We asked them why they would do that, they said, "We're trying to save money."

They couldn't find anybody to try to train people that would give them supplies if they got materials somewhere else.

In statements previously, we're professional skeptical.

[Gave example of the drivers license 15:10m] They said they concurred with 88% of the recommendations we issued on the report, that's "kind of" true, but when you exam the responses in detail, you'll find that 40% of those, they say they didn't do anything wrong.

Low % of change.

S Hacker: Could we get a copy of your testimony?

G Smith: Certainly

S Heitkamp: Do you know if there is a criminal investigation as to whether criminal activity occurred in relation to the driver's license issue?

G Smith: I can tell you that Highway Patrol started out on it and asked for the bureau of criminal investigation from Attorney General's office. Investigation is on going.

S Potter: How long have you been at your work?

G Smith: In July it will be 30 years.

S Potter: Have you ever been called bias?

G Smith: We need to be thorough. There will be giving us convincing evidence, we have to handle tough audits, are goal is to try to help them improve.

S Klein: Do you have 2 audits going on at the same time?

G Smith: No, they work with consultants and coordinators and try to stay out.

Paul Genter – *In Favor*

There are only 4 attorneys that will cover WSI cases.

TESTIMONY # 11 Read testimony

CLOSE

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2257 B**

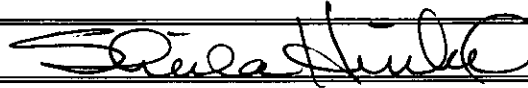
Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: **January 24, 2007**

Recorder Job Number: **1745**

Committee Clerk Signature



Minutes:

S Hacker: This is the one that eliminates the board, correct?

S Klein: Correct Simple bill, just puts the governor in charge.

S Hacker: The way I looked at it, seen the pendulum that was over here and accordingly is now over here, I'd like to find a middle without going back the whole way. So, I drafted an amendment to try and find a middle ground, and I think that is an attempt to put accountable individuals to the process. I'll pass those out.

S Klein: If you have an amendment, let's get crackin' here.

What's your amendment do?

S Hacker: The amendment relieves the board and changes the process for how one would GET to the board. Looking at how the board is set up is fundamentally dysfunctional.

You have the board that is putting essentially, putting themselves and their friends to the Governor and he has no option but to select those members in my mind, that was not right when they started it.

What the bill would do is change the mechanism for those individuals that are presented by the board, the groups of 3 that are presented. I made a hybrid commission; it's essentially 2/3 of the Industrial Commission, except for the Gov. as he already has a say on the appointment.

[explains 2:24m] I think it is a middle ground that is workable from all sides. Hopefully put a little, S Heitkamp referred to accountability being the ballot box, well this kind of gets to that point in a fashion.

S Klein: You believe that with the Ag Commissioner and Attorney General's Insurance Commissioner, you've got 3 more at the ballot box.

S Hacker: Yes, absolutely. They would solicit the people to apply for the board that would put those names forward to the Gov.; the Gov. would select one of those 3 and this is only for employer organizations. It does not change how Labor is picked and we switched that law, This would not change that.

S Heitkamp: May I ask S Hacker a Question?

Motion: S Hacker to move the amendment

Second by S Andrist

Discussion

S Heitkamp: So the governor has the final say on the appointment on the members of the board?

S Hacker: He has that today. He has to approve 6 members of the board.

S Heitkamp: He doesn't approve them, he reviews them.

S Klein: We put the group of names forward and he picks from that.

S Potter: That's in a bill we've dealt with, I'm trying to remember the number.

S Hacker: It's current language...[reads from bill 5:07m]

S Heitkamp: My point was, the Governor doesn't pick the 3 candidates, the candidates come to him. So what you're doing is changing it from, the Board bringing them to three other individuals, except in the case of the Employer. In the end, does the Governor have the ability through this amendment to deal with the executive director of WSI?

S Klein: More discussion? This may be a compromise on the selection of the board.

S Wanzek: As I think about it, this amendment could be somewhat palatable, but I won't vote for the bill, I'm not in favor of moving away entirely from the board to under the system we were under 10 years ago. I was here 10 years ago and heard as many complaints back then. As this agency is somewhat different, it's not a general-funded agency, it reminds me of the Wheat Commission. [example 7:00m] As an employer I'm paying premiums and I'm funding an agency that is meant to provide means of employers protecting workers with workers relief when they have an injury that was sustained under their job. I think there is some merit in allowing a board-type structure. I do understand your concern on how you appoint that board and whether that board should be the direct link or not. Making that decision or breaking some kind of middle ground where we allow some elected officials to have some input in it.

S Behm: There was no accountability the way it was. They can do exactly what they want to do. They couldn't be fired, they didn't have to account for anybody. That doesn't seem right.

S Wanzek: They do have to come to this body every 2 years and justify their actions, their budgets, I see that as the accountability. The makeup of the board should be made up of those being a part of the program.

S Heitkamp: The scenario between the Wheat growers and Workers is apples and oranges. If you're a worker in ND, you have no recourse if you're an injured worker unless through WSI, not through courts, not through elected officials, certainly this amendment would make it better than what it is today, I understand that, I still think would like to see it accountable to the Governor who is in charge of WSI. The bill has an advisory board in it. You can't compare it to grain raisers. If you go to WSI and you get told, "NO," like we heard time and time again up at the podium, they have no where else to go. Where the grain growers have a million other

places to go. With the grain growers there isn't this club where they say, "You either go with us, or you got no choice."

S Andrist: I wish there were a perfect system, and I can't figure out how to make it a perfect system, it's true that we did a lot of fixing on the agency under the old system which might make you wonder, "Why did we change it?" in 1997 when things were improving so dramatically. I remind myself under the old system they got into deep, deep trouble back in the '80s so the system didn't work with a straight Governor appointment. Premiums were skyrocketing, same worker complaints. They've been spanked a little bit with the audit and scrutiny, maybe they'll be a little more "hands on."

S Potter: This amendment vexes me. It is an improvement over the current system, but being a "Hog House" amendment, it guts the intention which was to make the executive director directly accountable to the governor. It puts us in a very difficult situation, I still haven't figured out how to vote on it. If this is not the session where we call them to some kind of accountability, what set of circumstances would there be that would lead us to call us to some accountability? All I've heard is negative about the board, the reserves are healthy, but, we see them violating laws, ignoring the audit, I was there the day that Sandy Blunt and chairman Emvik spoke to the audit fiscal review committee and their attitude was not that they're taking this audit should take apart, they were in opposition to it. If we leave this session without addressing those issues, I would not say it's a spanking at all, it's an endorsement of their policies. This is the time we can take charge of the agency. In this session. If we let them go without doing something, I'm afraid it's an endorsement of the last couple years.

S Klein: I would disagree to a point because I sat through those too and they were aggressively somewhat attacked for 3 hours and they had 15 minutes to respond, because we didn't leave them enough time. If all these bills aren't the spanking and holding their feet to the

fire, I certainly believe there are folks going to be back next session. WSI had their audit and in 18 months will have to respond to what they've been asked to respond to and certainly we'll see some changes.

S Behm: There has to be accountability. Everybody has to answer to somebody.

[WSI doctors sample]

S Klein: I feel responsible to the people in my district. They like to express their feelings to me as, if they call the Governor's office they don't know who to talk to. They always know I'm going to respond to them, return their calls. I think as senators, that's some of our responsibility also.

S Heitkamp: Did the proposer of the amendment talk to the Agriculture Commissioner and the Attorney General and the Insurance Commissioner and ask them if they wanted to get into this?

S Hacker: I spoke to 2 out of 3 and they were just fine with it.

S Heitkamp: Can I guess which one you didn't talk to? I would guess that Roger Johnson would not have been with this.

S Hacker: I'm not exactly sure where his office is. I had these drafted yesterday and ran them past the two and said, "If this is something you would be Ok with doing..." They said, "absolutely."

S Heitkamp: What was their response? They said, "Yes?"

S Hacker: They said, "Yes." Would be no problem.

S Klein: Call for DO PASS on the amendments.

Amendment: 70276.0101

VOTE: 4 – 3 Passed

MOTION TO MOVE BILL AS AMMENDED: S Hacker

HAVE DO PASS AS AMMENDED

SECOND by Wanzek

CARRIER Hacker

S Heitkamp: We're trying to put accountability back into WSI and Senator Hacker is not surprising me with these amendments. He had the courtesy of coming up and telling me that he was going to propose the amendments, I told him I was going to oppose the amendments. Basically, what you've done is you've Hog Housed my bill. You've completely changed it to where it's no longer my bill, I understand that. This bill is better than the current system we have now, and so I don't want to avote of "yes" on this bill, because it's all we have changing the structure of that part. It's all we have in front of us. There may be other moves later that go beyond that. But I don't want a yes vote for this bill to be perceived as though it's going to detract me from criticizing the amendments on the floor or the Hog Housing in division on the floor. So the bill goes a ways, just not far enough, but is better than what we have.

S Klein: I appreciate you being up front. I get a sense of where people are at from the get-go and we all know where we have to be.

S Wanzek: Seems like often in government we are faced with a problem, we react, sometimes the pendulum swings too far one way or the other. I respect Senator Heitkamp and that this is his bill and respect that he's going to have every opportunity to address his concerns, my point is, when we try to correct that we don't overreact the other way. I see this as a solution to provide some accountability, going the other way we go from accountability to a political situation again. This agency is deserving of more than just an advisory input from those who pay the premiums and those who receive the benefits. It is trying to move the pendulum back into the center.

S Andrist: I've been on advisory boards and government boards, it's like kissing your sister.

S Heitkamp: I'm still not convinced I'm going to vote on the bill the way it is. I don't think it should come out of this committee. Changing the way it is with the division that it had for what it was going to do in the first place, without sending a message or two it doesn't go far enough. I want be be upfront about it.

S Behm: We need direct accountability.

Discussion?

Roll for a DO PASS on SB 2257 AS AMMENDED

5-2 PASSED

M – Hacker

S – Wanzek

C - Hacker

