

2011 SENATE POLITICAL SUBDIVISIONS

SB 2083

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee  
Red River Room, State Capitol

SB 2083  
January 7, 2011  
12637

Conference Committee

*Mary Jo Wocken*

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

Relating to service on the director of the office management and budget

## Minutes:

**Senator Andrist** opened the committee hearing for SB2083. All senators present.

**Pam Sharp:** Director of Management and Budget., represented the Office of Management and Budget. Whenever any state employee has their check garnished, services have to be served to the Office of Management and Budget and our payroll staff then handles that garnishment through the state payroll. As it is right now, the Century Code says that service upon the State of North Dakota or any institution, department or agency as garnishee may be made upon the director of Office of Management and Budget. I am merely suggesting that I be able to also have a designee, because as it is right now, the garnishments come through either the sheriffs' department or through certified mail. Our practice is when they come and serve; they actually serve it to our payroll staff, not to me. I am not there all the time. I believe that in the last eight years that I have been director, I think maybe twice that garnishment has actually come to me. So I need to be able to have a designee so that we can legally do what we are supposed to be doing. I ask your approval of SB 2083 by allowing the OMB director to authorize a designee for garnishment purposes.

**Sr. Andrist:** Are there any questions for Pam?

**Senator Dotzenrod:** Mr. Chairman and Pam. As you mentioned this is pretty straightforward and very simple, but I was curious when you were describing the process if the reason we that we have this bill in front of us, if this was prompted by something that happened over the last year or two where someone pointed out that we are not technically in the way we are doing it and that they wanted to make some trouble or question what was being done or saying that we weren't following the law, or did you just happen that someone in the office noticed it and I guess I am wondering how....

**Pam Sharp:** Mr. Chairman, Senator Dotzenrod: That's exactly true. We just noticed that the wording is not actually what is happening right now and we just wanted it to be cleaned up. No one has accused us of not following the law or having any problem in serving a garnishment, or anything like that.

**Senator Andrist:** No more questions? Thank you Pam, you get by easy today. Is there anybody wish to testify in support of 2083. If not, is there anybody opposed to 2083.

Closed Hearing 2083.

Motion to due pass from Senator Olafson

Second: Senator Leffen

Roll Call vote: 5 yes 0 no

Carrier: Senator Olafson

Date: 1-7-2011  
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2083

Senate Political Subdivisions 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 Sen. Olafson Seconded By Sen. Laffen  
Carried: Sen. Olafson

Senators	Yes	No	Senators	Yes	No
Senator John Andrist	✓				
Senator Lonnie Laffen	✓				
Senator Judy Lee	✓				
Senator Curtis Olafson	✓				
Senator Jim Dotzenrod	✓				

Total (Yes) 5 No 0

Absent \_\_\_\_\_

Floor Assignment Senata Olafson

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

**REPORT OF STANDING COMMITTEE**

**SB 2083: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2083 was placed on the Eleventh order on the calendar.**

2011 HOUSE POLITICAL SUBDIVISIONS

SB 2083


# 2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee  
Prairie Room, State Capitol

SB 2083  
March 3, 2011  
Job # 14872

Conference Committee

Committee Clerk Signature



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

Relating to service of the director of the office management and budget.

## Minutes:

Chairman Johnson: Opened the hearing on SB 2083.

**Pam Sharp, Director of OMB:** I believe this will be the easiest bill you have to deal with this whole session. What this bill does is it just allows the director of OMB to designate a person to receive the papers when a state employee has had their wages garnished. When that happens we either receive that notice through a sheriff or most of the time through certified mail. We discovered that we have not been following the law because the law just says it must be made upon the director of the OMB. In actuality were having someone from our payroll staff sign off on that as the receipt for the certified mail. This bill just allows the OMB director to designate someone else to receive the notice of garnishment. We have not had any complaints that we have been doing it wrong. We just discovered the language doesn't provide for what we have been doing and we just want to make it right.

**Rep. Klemin:** How would you designate that person officially?

**Pam Sharp:** Officially I would just have a memo saying I designate Tina Bower to receive the garnishment. It would just be an internal process.

Opposition: None

Hearing closed.

Do Pass Motion Made by Rep. Devlin; Seconded by Rep. Maragos:

Discussion: None

Vote: 11 Yes 0 No 3 Absent Carrier: Rep. Maragos

Date: 3-3-11  
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2083

House Political Subdivisions 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. Devlin Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Kilichowski	✓	
Vice Chairman Hatelstad	✓		Rep. Shirley Meyer	—	
Rep. Beadle	—		Rep. Mock	✓	
Rep. Devlin	✓		Rep. Zaiser	✓	
Rep. Heilman	✓				
Rep. Klemin	✓				
Rep. Koppelman	—				
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch	✓				

Total (Yes) 11 No 0

Absent 3

Floor Assignment Rep. Maragos

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



**REPORT OF STANDING COMMITTEE**

**SB 2083: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2083 was placed on the Fourteenth order on the calendar.**