

2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1368

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1368
1/25/2019
31517

- Subcommittee
 Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to membership of the state investment board

Minutes:

Chairman Kasper opened the hearing on HB 1368.

Rep. Keith Kempenich appeared in support of HB 1368. The purpose of this bill is to put one member of the budget stabilization advisory committee as a nonvoting member on the state investment board. (4:13)

Rep. Laning: There are no legislators on this board. Would you like a legislator as a nonvoting member?

Rep. Kempenich: Yes. The voting isn't the issue. It is more for information.

Vice Chair Steiner: Why not say one legislative member of the legacy and budget stabilization fund, because the committee actually has OMB, president of the state bank, and tax commissioner on there? Are you concerned that those people would be the ones who are appointed by this board?

Rep. Kempenich: The majority of the legislators do not live in Bismarck. We could designate the tax commissioner as a default position if someone couldn't make it. The legislators control the advisory board as far as that goes.

Rep. Karls: This is a public board and the meetings are closed? You can't attend the meetings for information on your own?

Rep. Kempenich: You can. That is the whole crux of the issue, it is your dime.

Rep. Rohr: Isn't there a fiscal note?

Rep. Kempenich: It is in our budget to do some of this.

Chairman Kasper closed the hearing.

Rep. Laning made a motion for a DO PASS.

Rep. Rohr seconded the motion.

Rep. B. Koppelman: If legislative management can already send people to observe these committees and if they are mostly there to listen and observe, then I wonder if this bill is necessary. Are they intending to deliberate with the committee or not?

Chairman Kasper: This gives an official position, and it allows for the person to be notified and to participate. If they are on the legacy board, I also think it is educational.

Rep. C. Johnson: When these committees meet, do they keep a record of minutes that are available for public review?

Chairman Kasper: Yes.

A roll call vote was taken. 14-0, 0 absent.

Rep. Schauer will carry the bill.

Date: 1-25-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1368

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 Rep. Laning Seconded By Rep. Rohr

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner	X		Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston	X				
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Karen Rohr	X				
Rep. Austen Schauer	X				
Rep. Steve Vetter	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Schauer

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

REPORT OF STANDING COMMITTEE

HB 1368: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1368 was placed on the Eleventh order on the calendar.

2019 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1368

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

HB1368
3/22/2019
#34160

- Subcommittee
 Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to membership of the state investment board.

Minutes:

Chairman Davison: We will have to wait for Rep. Kempenich. Let's open HB1368. Is there any agency testimony? Any opposition to HB1368?

Rep. Kempenich, Dist. 39: This bill gives the members of SIB, (state investment board), permission to have one member on the Legacy Fund Advisory Board as a non-voting member. That person can now get paid, also. There are four legislators that serve on that advisory board. The intent would be to rotate the four legislators to go the meetings. (6.19)

Sen. Erin Oban: On page 1, you say Legacy and Budget Stabilization Fund Advisory Committee. But it is actually called the Legacy and Budget Stabilization Fund Advisory Board.

Rep. Kempenich: It should be Board. We need to change page 1. I would have to ask L.C.

Sen. Richard Marcellais: On page 1, FNG you have 3 and 2 members. Why not one of each?

Rep. Kempenich: That is done in statute. That is current language. (8.05) We did not want a large committee.

Chairman Davison: Thank you. Any agency or opposing? Close the hearing. (8.56)

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

HB1368
3/22/2019
#34163

- Subcommittee
 Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to membership of the state investment board.

Minutes:

Chairman Davison: Look at HB1368.

Sen. Erin Oban: It says in Code that it is called board. The only words we are changing on page1, lines 20 and 21. They use the word 'committee' twice. That will be changed to 'board'.

Sen. Erin Oban: I move the above addressed amendment. **Sen. Kristin Roers:** I second.

Chairman Davison: Roll: **YES -- 7 NO - 0 amendment passed**

Sen. Erin Oban: I move a DO PASS as amended. **Sen. Kristin Roers:** I second.

Chairman Davison: Discussion? Take roll: **YES -- 7 NO -- 0 -0-absent.**
HB1368 PASSED as amended. Sen. Jay Elkin will carry the bill.

Done (2.19)

19.0950.01002
Title.02000

Adopted by the Senate Government and
Veterans Affairs Committee
March 22, 2019

SK
3/22
100

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1368

Page 1, line 20, replace "committee" with "board"

Page 1, line 21, replace "committee" with "board"

Renumber accordingly

3-22-19

Date:
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES *HB 1368*
BILL/RESOLUTION NO.

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: chg. 2 spots put "Board" not committee
line 20 + 21

- 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 Sen. Oban Seconded By Sen. Roers

Senators	Yes	No	Senators	Yes	No
Chair Davison	/		Sen. Oban	/	
Vice Chair Meyer	/		Sen. Marcellais	/	
Sen. Elkin	/				
Sen. K. Roers	/				
Sen. Vadaa	/				

Total (Yes) 7 No 0

Absent _____

Floor Assignment _____

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

3-22-19

Date:
Roll Call Vote #:

2

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES *AB 368*
BILL/RESOLUTION NO.

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: 19.0950.01002

- 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 Sen. Oban Seconded By Sen. Roers

Senators	Yes	No	Senators	Yes	No
Chair Davison	/		Sen. Oban	/	
Vice Chair Meyer	/		Sen. Marcellais	/	
Sen. Elkin	/				
Sen. K. Roers	/				
Sen. Vedaa	/				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Elkin

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

original

REPORT OF STANDING COMMITTEE

HB 1368: Government and Veterans Affairs Committee (Sen. Davison, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1368 was placed
on the Sixth order on the calendar.

Page 1, line 20, replace "committee" with "board"

Page 1, line 21, replace "committee" with "board"

Renumber accordingly

2019 CONFERENCE COMMITTEE

HB 1368

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1368
4/9/2019
34622

- Subcommittee
 Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to membership of the state investment board

Minutes:

Chair Steiner opened the conference committee on HB 1368. Other members present were Rep. Schauer, C. Johnson, Senators Elkin, Vedaa, and Marcellais. There is one minor change from the house version. I would like to see that this word change by the senate is in line with legislative council.

Samantha Kramer, Legislative Council, appeared. The language on Page 1 is cleanup. The budget stabilization advisory board is an entity. The term council is used in what will be the new Subsection 4 of Section 1 of the bill, and that is a separate entity. In this section of law using those terms interchangeably is not as easy as it might be in another section of law, because we are referencing specific entities—advisory council, board, and the legacy and budget stabilization fund advisory board.

Chairman Elkin: That is why we made that change and had it amended, so it would comply with ND century code 21-10-11.

Rep. C. Johnson: I looked in other parts of the sections that you referenced and the terms council and board are basically interchangeable. It shouldn't really matter if we wanted to use the term board for everything for sake of consistency. We could still use council and it wouldn't cause any problems.

Samantha Kramer: Correct, but specifically in Section 21-10-01 which is Section 1 of this bill, there is already a reference to a separate entity in Subsection 4 that is referenced as council. In this particular section, we do not want to use them interchangeably, because they are all referring to a specific entity.

Rep. C. Johnson made a motion that the HOUSE ACCEDE TO SENATE AMENDMENTS.

Rep. Schauer seconded the motion.

House Government and Veterans Affairs Committee

HB 1368

4/9/19

Page 2

A roll call vote was taken. 6-0, 0 absent.

The meeting was adjourned.

Date: 4-9-19
 Roll Call Vote #: 1

**2019 HOUSE CONFERENCE COMMITTEE
 ROLL CALL VOTES**

BILL/RESOLUTION NO. 1368 as (re) engrossed

House Government and Veterans' Affairs Committee

- Action Taken** **HOUSE accede to Senate Amendments**
 HOUSE accede to Senate Amendments and further amend
 SENATE recede from Senate amendments
 SENATE recede from Senate amendments and amend as follows
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep. C. Johnson Seconded by: Rep. Schauer

Representatives				Senators					
	<u>4/9</u>		Yes	No		<u>4/9</u>		Yes	No
Chair Steiner	<u>X</u>		<u>X</u>		Chairman Elkin	<u>X</u>		<u>X</u>	
Rep. Schauer	<u>X</u>		<u>X</u>		Senator Vedaa	<u>X</u>		<u>X</u>	
Rep. C. Johnson	<u>X</u>		<u>X</u>		Senator Marcellais	<u>X</u>		<u>X</u>	
Total Rep. Vote			<u>3</u>		Total Senate Vote			<u>3</u>	

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier _____ Senate Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

HB 1368: Your conference committee (Sens. Elkin, Vedaa, Marcellais and Reps. Steiner, Schauer, C. Johnson) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1343 and place HB 1368 on the Seventh order.

HB 1368 was placed on the Seventh order of business on the calendar.