

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

20001

2001 SENATE APPROPRIATIONS

SB 2001

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2001

Senate Appropriations Committee

Conference Committee

Hearing Date January 22, 2001

Tape Number	Side A	Side B	Meter #
Tape #1	x		0.0 - 50.6
Committee Clerk Signature <i>James P. Pritchard</i>			

Minutes:

Senator Nething opened the hearing on SB2001.

Senator Gary Nelson, District 22, and Senate Majority Leader and Legislative Council Chairman, testified in support of SB2001. He believes this to be a good, efficient bill. Hopes this will enable the assembly to keep good workers, enable us to keep numbers at the level of most effect -- there were 136 part time employees in 1993; and 84 in 1999. This year it could be less than 84. The bill room and telephone room have been privatized; technology has enabled us to take a reduction in numbers -- but this is a good/ efficient budget. Senator Gary Nelson introduced John D. Olsrud, Director of the North Dakota Legislative Council and Jim Smith, Legislative Council analyst, who would provide details and answer any questions the Committee might have.

Senator Nething: SB2175: Directly to Senate Appropriations Committee?

Senator Gary Nelson: Yes.

Senator Nething: HB1197 concerned the mileage reimbursement rate? Where is it?

**Page 2**

**Senate Appropriations Committee**

**Bill/Resolution Number SB2001**

**Hearing Date January 2, 2001**

**Jim Smith, Legislative Council Analyst:** Believe it was passed out of House Appropriations last week.

**Senator Nething:** We'll hold on the budget approval until it catches up with us. See full package.

**Senator Tallackson:** Number of days used in the budget?

**Senator Gary Nelson:** 77 days in budget. 77 has been used since 1993' (it's simply a point on based numbers); could go under or over that figure.

**Senator Tomac:** Redistricting session built in -- or will it be next session?

**Senator Gary Nelson:** Don't know at this point -- in 1990 it took us 5 days for redistricting session.

**Senator Tomac:** Believe it might be in December?

**Senator Gary Nelson:** No decision --- if we leave here after 72 days --- this is a figure only, not a number set in stone -- we have 5 more; we could recess and reconvene in October -- or could call a special session.

**John D. Olsrud, Director, North Dakota Legislative Council** presented neutral testimony on SB2001 ( a copy of his testimony is attached).

SB2175 dollars here in SB2001.

**Senator Holmberg:** Has Chuck Parscard's position been filled?

**John D. Olsrud:** Not filled; if this bill is approved; we will have one new position and one unfilled.

**Senator Heitkamp:** With the expansion of technology --isn't it possible to hand each of us a disk-- we insert it -- and we have all the information?

Page 3

Senate Appropriations Committee

Bill/Resolution Number SB2001

Hearing Date January 2, 2001

John O. Olsrud: Not sure what's all in the individual binder -- if we provided disks -- perhaps some could be done -- specifics I'm not sure about; many authors for each document. To do a new program would be expensive; not sure how practical it would be -- or cost benefit.

Senator Heitkamp: As individuals testify -- they could supply disks, then we could access the information through the computer at home -- having it all in one place? Thus utilizing investment to the most?

John D. Olsrud: Beyond my expertise --- but to incorporate all the different software packages would require technology changes -- can't promise that if they send it in via their computer system that we will have the ability to use/convert it to our use.

Senator Nething: Understand that the people want information; always a need for dual track; don't think we can get away from it.

Senator Heitkamp: Could minimize paper copies?

Senator Nething: Practically speaking -- could be lots of dollars involved.

Senator Heitkamp: Technology is there.

Senator Tomac: Are we not using major software? Matter explored? Why didn't we pick the most commonly used one? Could explore to reduce cost -- check what systems those of us have on our home computers. Why can't I access the e-mail sent to my senate address through my home system? Spend 3 thousand dollars on my home setup -- should have 2 thousand in lap top -- so one shop involved?

John D. Olsrud: Not a simple answer -- but the fiscal system uses the lotus system -- fiscal staff uses the lotus system to tie in intricate system -- it would be costly/delays involved. Wish it could be simple, but it's not.

**Page 4**

**Senate Appropriations Committee**

**Bill/Resolution Number SB2001**

**Hearing Date January 2, 2001**

**Senator Robinson:** Reflect more on statement about existing computers? Not all bought at the same time? Will you be doing that prior to next session?

**John D. Olsrud:** Lots of things to complete --including the testing of programs; hope to have when session begins in 2002. But, we do not have over night service when we place orders --- We have been buying/doing things in piece meal fashion ---that's why not all computers work at the same speed as others -- hope we can replace all at one time, all to be uniform.

**Senator Thane:** Where do old computers go?

**John D. Olsrud:** Computers, by state law, must be made available for other state agencies. Some state agencies have a limited need for the respective unit(s). Originally the purchase price was \$7000 (we purchased 4 at that time); new ones are somewhat cheaper now --- when one of the four original ones was stolen -- we were told the value was \$150 -- depreciation is fast. Old units are always useful for someone.

**Senator Heitkamp:** Mileage? Can't a spot be picked -- use government rate -- when gas price goes up or down, mileage rate could be flexible? Why is mileage rate set in stone?

**John D. Olsrud:** Rate is set by state law; any senator could submit a bill for change.

**Senator Heitkamp:** IRS sets a rate that can be flexible.

**Senator Gary Nelson:** Believe this is done to comply with the agencies as they prepare their budgets -- we felt that if a flexible rate was given due to escalated gas prices -- establish bench mark? Agency budgets could be put in jeopardy.

**Senator Nething:** This happened in the motor pool -- deficiency request has now been put in.

**Senator Tallackson:** Minnesota has 2 committees working on redistricting ( one appointed by the governor and one by the legislature) -- considered this here in ND?

Page 5

Senate Appropriations Committee

Bill/Resolution Number SB2001

Hearing Date January 2, 2001

Senator Gary Nelson: Minnesota can do as they wish -- but it is my concern that this done by the legislative body. This is not an executive function; although they have the authority to sign or not sign. Redistricting is the responsibility of the legislature.

Senator Nething: The suggestion/proposal was rejected by the Commission.

Senator Tallackson: Perhaps explained by the unusual governor in Minnesota.

Senator Andrist: The administrative code could be put on with same program as the century code already in place? Wouldn't another/new program be costly?

John D. Olsrud: There is some difference -- but as a lay man perspective -- it does sound as though it could be done.

Senator Nething: Senator Andrist -- would you like a review done by the legislative council staff?

Senator Andrist: Believe that would have already been investigated -- so no request at this time.

No additional testimony; hearing closed by Senator Nething.

~~February 8, 2001~~

SB2001 (Tape 1, Side A, meter 30.9 - 35.2)

Senator Gary Nelson, District 22, Cass County, and Chairman of the Legislative Council, presented an amendment (10355.0101, copy attached). Senator Nelson explained the amendment; its purpose; adding the statement *and the chairman of the legislative council, (if the chairman is not a majority or minority leader* following the word senate on the third to the last line, page 1.

Senator Tallackson moved the amendment; Senator Bowman seconded the motion. Motion carried by voice vote.

No additional discussion and no action taken at this time. Senator Nething indicated SB2001, SB2175, and SB2176 will be addressed for action next week by the full committee.

~~February 15, 2001 Full Committee Action: (Tape 1, Side A, Meter No. First of 4 bill actions from 0.0-54.1)~~

Senator Nething reopened the hearing on SB2001.

The amendments (10355.0101) had been adopted February 8th.

Senator Solberg moved a DO PASS AS AMENDED; Senator Holmberg seconded. Roll Call votes: 14 yes, 0 no, 0 absent and not voting.

Senator Tallackson accepted the floor assignment.



PROPOSED AMENDMENTS TO SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to legislative compensation;"

Page 2, after line 10, insert:

**SECTION 3. AMENDMENT.** Section 54-03-20 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred eleven dollars for each calendar day during any organizational, special, or regular legislative session. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session must be included as a calendar day during a legislative session for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement

provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)]."

Renumber accordingly