

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2011

2001 SENATE APPROPRIATIONS

SB 2011

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2011

Senate Appropriations Committee

Conference Committee

Hearing Date January 11, 2001

Tape Number	Side A	Side B	Meter #
3	Hwy Patrol		0.0-53.5
3		Hwy Patrol	0.0-4.5
Committee Clerk Signature <i>Debra Stover</i>			

Minutes:

Senator Nething opened hearing on ND Highway Patrol.

Colonel James M. Hughes, ND Highway Patrol, (testimony attached) praised the committee for past support and contributions to the Highway Patrol. The first responsibility of the field division of the Highway Patrol is for traffic accident prevention, to enforce traffic laws, providing public awareness and education. During 2000, North Dakota recorded 85 fatalities in 79 fatal crashes. This is a decrease of fatalities from the 199 (92 fatal) recorded in 1999. Alcohol was a factor in 35 of the crashes and 85 percent of the fatal crash victims were not restrained. The department is structured into eight districts for a geographic portion of the state for accident prevention and traffic law enforcement and we have gone from five commanders for the districts to eight. We provide a safe environment for the executive, legislative, and judicial bodies of state government at the Capitol. The Motor Carrier Division includes the permit section, the Motor Carrier Safety Assistance Program and eight weigh/inspection stations. This department collected \$369,282 in overweight fees for fiscal year 2000 of which troopers

collected 81 percent. Education and enforcement is an effective combination in the area of traffic safety. Education plays a vital role in the reduction of traffic crashes and the loss of life. Sobriety checkpoints were started on May 12, 2000, with eight more during the year. "Freedom to Choose" is a computer-synchronized presentation developed in the summer of 2000. Traffic safety presentations were given to school children, civic groups, private businesses, and government agencies. The Highway Patrol is responsible for the operation, maintenance, and administration of the law enforcement training center. We have additional utilization with additional administrative meetings, training and associated training activities. These activities accounted for an additional 21,782 man-hours of activity utilization. The State Mobile Data Communications System became fully operational just prior to July 1, 1999. The Phase II expansion included 5 additional tower sites equipped with data radio base stations and the we plan on equipping 20 additional Highway Patrol vehicles. We also have expanded from two to eight laser crash mapping systems which provides for more efficient measuring and diagramming of crash scenes. The first 15 months of this biennium we have provided over 173,000 hours of patrolling highways traveling more than 3,700,000 miles. Our three trooper/canine units responded to requests from 30 different agencies in the state. We maintain flexibility to address safety issues, closing hundreds of miles of roadways due to weather conditions. Troopers make instant decisions every day with 132 sworn officers, 37 motor carrier inspectors, and 27 support staff and educating and training our employees to the best job possible is a priority. Our budget summary for the 2001-2003 biennium budget is for: eight field districts, LETA - Law Enforcement Training Academy, eight weigh/inspection facilities, 196 FTE's (131 officers and 38 eight/inspection employees) 2 less than the 1999-2001 budget. Tape meter 27.8

Senator Nething: Yesterday we heard the Department of Transportation on the motor pool division re mileage costs, is this mainly because of gas prices.

Colonel Hughes: The legislature only allows so many cents per mile and we are allowed 36 cents per mile. Last year in September, 2000, it was raised by the motor pool to 50 cents per mile and we had to absorb the increase; our only alternative was to ask troopers to cut mileage to 1800 miles per month and team up to absorb the \$400,000 increase in mileage; all in all our budget to pay motor pool with the increased rates was to cut mileage and the deficiency is not paid down.

Senator Bowman: Is this budget for 50 cents per mile?

Colonel Hughes: Yes, made by motor pool rate.

Senator Bowman: If the price comes down, will there be savings down the road.

Colonel Hughes: It is down to 45 cents per mile; 5 cents now saved from motor pool.

Senator Heitkamp: I have questions about the sobriety check points; I have had numerous calls that this is an invasion of their privacy; where is this in the judicial system?

Colonel Hughes: The answer to sobriety check points has been rules on many times and they are considered legal. The most recent Supreme Court decision was to do with testing on drugs at the check points explaining that alcohol is not safe and that drugs are not the danger on highways.

Senator Heitkamp: Is there going to be more check points in the future; any new action in coming years?

Colonel Hughes: Yes. We this is our intentions and to work with cities to do so.

Senator Tomac: If you are cutting your staff by 2, where is 8 Million going?

Mark Bethke, from Highway Patrol, answered, the \$1.9 million is actually for salary increase; operating expenses \$1.2 million; \$1 million motor pool; \$470,000 equipment; \$250,000 from

federal funding; \$220,000 to expand or continue mobile data; \$2.5 million is going to federal motor carrier programs for underaged drinking program; \$420,000 local agencies.

Senator Nething: Are all these numbers in the budget?

Mark Bethke: The utilization rate is around 50%; striving to be more utilized.

Senator Lindaas: Asking Colonel Hughes; Is the best system for the Highway Patrol through the motor pool system; would it be better to handle own vehicles?

Colonel Hughes: At the emergency appropriation hearing, we were also asked if we would be better off not going to motor pool; with the overall price we feel motor pool is best when you consider maintenance. I'm not sure about all the costs involved and we are not critical of DOT; we are both team players.

Senator Bowman: I have two things; considering all law enforcement, would all law enforcement help Highway Patrol if necessary? Has your service escalated?

Colonel Hughes: Answer both questions is yes.

Senator Solberg: About the mobile data system; both the Highway Patrol and State Radio use this system; are they funded separately?

Dave Krabbenhoft, OMB: They are separate; State Radio funds updates, Highway Patrol per car unit.

Tape Side B, meter 2.4

Curt Peterson, representing Associated General Contractors of ND, (testimony attached) testified in opposition to how this budget for the Highway Patrol is created. ND needs approximately \$13 million more than what was required last year to match the proposed increase in federal highway funds. The mandate set in Article 10 of Section 11 of the North Dakota Constitution clearly states that Highway revenues are to be utilized and appropriate solely for construction,

Page 5

Senate Appropriations Committee

Bill/Resolution Number 2011

Hearing Date : January 11, 2001

re-construction and maintenance of public highways. It would be a huge stretch to believe that the

State Highway Patrol has any responsibility for any of the purposes identified in the constitution.

I request that this committee not accept this proposal and find other means of funding the

Highway Patrol, suggesting from the general fund.

Hearing closed. Tape #3, Side B, meter 4.4

Page 6
Senate Appropriations Committee
Bill/Resolution Number 2011
Hearing Date : ~~January 11, 2001~~

February 19, 2001 Full Committee (Tape #3, Side A, Meter No. 41.3-50.2)

Senator Nething reopened the hearing on SB2011.

Senator Nething presented amendments (18035.0102). Discussion followed the explanation.

Senator Kringstad moved the amendments, Senator Tallackson seconded. Discussion on the bill.

Senator Kringstad moved a DO PASS AS AMENDED; Senator Tallackson seconded. Roll Call

Vote: 13 yes; 0 no; 1 absent and not voting.

Senator Tallackson accepted the floor assignment.

Date: 2-19-01

Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2011

Senate Appropriations Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number 18037.0102

Action Taken As passed as amended

Motion Made By Sen Kringstad Seconded By Sen Tallackson

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac					
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 13 No 0

Absent 1

Floor Assignment Senator Tallackson

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

REPORT OF STANDING COMMITTEE

SB 2011: Appropriations Committee (Sen. Nothing, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2011 was placed on the Sixth order on the calendar.

Page 1, replace lines 8 through 12 with:

"Administration	\$2,164,675
Field operations	30,095,704
Law enforcement training academy	<u>982,723</u>

Page 1, line 13, replace "33,243,143" with "33,243,102"

Page 1, line 14, replace "21,159,342" with "21,159,321"

Page 1, line 15, replace "12,083,801" with "12,083,781"

Page 1, line 17, replace "\$13,729,899" with "\$13,729,878"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2011 - Highway Patrol - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$20,690,143	(\$20,690,143)	
Operating expenses	6,218,000	(6,218,000)	
Equipment	1,285,000	(1,285,000)	
Capital improvements	50,000	(50,000)	
Grants	5,000,000	(5,000,000)	
Administration		2,164,675	\$2,164,675
Field operations		30,095,704	30,095,704
Law enforcement training academy		982,723	982,723
Total all funds	\$33,243,143	(\$41)	\$33,243,102
Less estimated income	<u>21,159,342</u>	<u>(21)</u>	<u>21,159,321</u>
General fund	\$12,083,801	(\$20)	\$12,083,781
FTE	196.00	0.00	196.00

Dept. 504 - Highway Patrol - Detail of Senate Changes

	PROVIDE PROGRAM APPROPRIATIONS	ADJUST MARKET EQUITY SALARY INCREASE 1	TOTAL SENATE CHANGES
Salaries and wages	(\$20,690,143)		(\$20,690,143)
Operating expenses	(6,218,000)		(6,218,000)
Equipment	(1,285,000)		(1,285,000)
Capital improvements	(50,000)		(50,000)
Grants	(5,000,000)		(5,000,000)
Administration	2,164,718	(\$41)	2,164,675
Field operations	30,095,704		30,095,704
Law enforcement training academy	982,723		982,723
Total all funds	\$0	(\$41)	(\$41)
Less estimated income		<u>(21)</u>	<u>(21)</u>
General fund	\$0	(\$20)	(\$20)
FTE	0.00	0.00	0.00

REPORT OF STANDING COMMITTEE (410)
February 20, 2001 8:51 a.m.

Module No: SR-31-3947
Carrier: Tallackson
Insert LC: 18037.0102 Title: .0200

¹ This amendment reduces, from \$3,567 to \$3,528, the amount provided for a market equity salary increase for the superintendent. The amount included in the bill will provide for a monthly increase of \$167.75 and related fringe benefits for the last 18 months of the biennium.

