

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2049

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2049

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2049

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date January 12, 2001

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|-----------|
| 1 | | X | 11.2-17.4 |
| 1 | | X | 40.0-41.7 |
| Committee Clerk Signature <i>James A. Reik</i> | | | |

Minutes: Chairman Krebsbach called the committee back to order. The hearing on SB 2049 was opened. This bill relates to the duties of the attorney general concerning occupational or professional licensing by officials, boards, and commissions. Appearing before the committee was Senator John Andrist, representing District 2, prime sponsor of the bill. Senator Andrist indicated that this bill was introduced as a little bit of a fishing expedition. It is not a high profile bill with him. He indicated that he has had a long standing concern because of some experiences he has had with licensing boards where they have made it very difficult for someone from outside of the state to be licensed within the state. Because of this he went to the legislative council and indicated that there ought to be someplace in statute that there be a stipulation for every licensing agency that you can't set standards for out of state applicants that are any more stringent than for in state applicants. It has always seemed crazy to him that we work on economic development to bring people into the state and then sometimes we set standards that make it difficult for them to come here. He has run into this from a practical experience in small

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town where you have to recruit practically for everybody that you bring into the community.

The legislative council indicated that though these efforts are noble this would require a considerable effort in statute. As an alternative they suggested that we require the attorney general to remind each licensing agency that they can not set more stringent standards for licensing for out of state applicants than they can for in state applicants. Many agencies have adopted rules of reciprocity and he applauds this. We want a free market for people as well as for product so people can move from state to state and carry on their practice. He has spoken with the new attorney general and Jim Fleming and they have come up with some alternatives that may be helpful. Jim Fleming with the Attorney General's office addressed the committee. He indicated he was appearing in a neutral position. The A G's office does not oppose the bill however, they are not sure it is needed either. He indicated that they would request that the committee withhold any action on this while the AG's office discuss with him what other actions might be taken by the office to address some of these problems. Erecting barriers that make it more difficult for nonresidents to become licensed in North Dakota than residents certainly raises legal issues. We are open to work with Senator Andrist. We are thinking there might be other ways to address his concern rather than making the century code longer. If we can do that I think all involved with that would be happier. There were no questions from the committee. No further testimony was offered on the bill. The hearing was closed on SB 2049. Chairman Krebsbach indicated that the committee would hold any action per the request of the Attorney General's office and Senator Andrist at this time. Tape 1, Side B, Meter #'s 40.0-41.7-Chairman Krebsbach reiterated to the committee that it was the wish of Senator Andrist and Mr. Fleming of the Attorney General's Office that the committee hold this bill for action until a later date. This bill was withdrawn from further consideration on January 22, 2001.