

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2337

2001 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2337

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2337

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date January 31, 2001.

Tape Number	Side A	Side B	Meter #
1	x		0 to 23.1
3		x	7.7 to 18.4
(Feb.13/01) 3	x		41.9 to 54
(April 03/01) 1	x		41.4 to 46.0
Committee Clerk Signature <i>Dow & Perez</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on SB 2337 relating to a shared work unemployment compensation program.

SENATOR JUDY LEE, District 13, cosponsor. Written testimony attached.

JOHN KRAMER, Fargo Economic Development Corp. Other states have similar programs. Put bill together with Job Service and employers, compromise. Endorse this bill.

SENATOR KLEIN: Give me an example of how this will work.

J KRAMER: The economy goes down, farm equipment companies are forced to do lay offs after investing in training the employees. In case of highly trained employees, they are lost because they will leave the state. Under this program the employee would be allowed to stay on the job.

JIM HIRSCH, JSND: Companies have employees share available work, there is a reduction in work hours. While in the work share program employees receive benefits to compensate loss of wages. There are caps and the money is reimbursed to the fund by the employer.

Page 2

Senate Industry, Business and Labor Committee

Bill/Resolution Number 2337

Hearing Date January 31,2001.

SENATOR EVERY: Explain: "corresponding proportionate reduction in wages"

J HIRSCH: Reduction in hours changes the work agreement, if employee decides instead to terminate employment it is up to the bureau to decide if the employee can receive benefits.

Adjudication based on the facts of the case. First level of the adjudication process is appealable in an appeals hearing, then to a bureau of review and then to the courts.

Senator Every: What would be the period of time with no compensation?

J HIRSCH: Normally paid by the third week.

SENATOR KREBSBACH: Expenditures being absorbed by the agency or by a federal grant?

J HIRSCH: If there were federal funds available we would apply for them but there is no guarantee. This bill is modeled on one in Kansas.

DAVID KEMNITZ, NDAFL-CIO, neutral. In principle agree with the bill. Nothing in here acknowledges that collective bargaining agreement would prevail. It should be added to page 4 line 29: " 10. A shared work unemployment compensation program shall not circumvent a collective bargaining agreement if one is in place."

SENATOR ESPEGARD: How can this be bad for the employees, instead of being laid off, they are allowed to share work and get a share of unemployment .

D KEMNITZ: Issue is not lay off but reduction of work hours and wages and rest made up by unemployment benefits which have caps on them. There are pitfalls in agreeing to forego income. We want language included to protect collective bargaining.

Hearing closed.

Committee reconvened. Tape 3-B-18.9. Discussion held, need more study and amendment not ready yet.

Feb. 13/01 Tape 3-A-41.9 to 54.

Page 3

Senate Industry, Business and Labor Committee

Bill/Resolution Number 2337

Hearing Date January 31,2001.

Committee reconvened. All members, except SENATOR ESPEGARD, present. Discussion held.

SENATOR D. MATHERN: Two sets of amendments, stop drain on funds and help workers like those in CASE, letter enclosed. Job service recommended the amendment on page 6.

SENATOR D. MATHERN: Move adoption of set of amendments.

SENATOR KREBSBACH: Second.

Roll call vote: 6 yes; 0 no; 1 absent not voting.

SENATOR D. MATHERN: Motion : do pass as amended, and be rereferred to appropriations.

SENATOR EVERY: Second.

Roll call vote: 6 yes; 0 no; 1 absent not voting. Carrier: SENATOR EVERY.

Page 4

Senate Industry, Business and Labor Committee

Bill/Resolution Number 2337

Hearing Date January 31, 2001.

March 03/01. Tape 1-A-41.4 to 46.0

Committee reconvened. All members present.

Rep Rick Berg, District 45. Amendments put cap at fifty employees and sunset it for two years.

This is a pilot program geared for larger employers, it goes away if not used.

Senator Mathern: How does the fiscal note change?

Rep Berg: Fiscal note was a hundred thousand for study. There are federal dollars they can apply for.

Senator Krebsbach: This is an old program being brought back.

Senator Espegard: Motion to concur. **Senator Tollefson**: Second.

Roll call vote: 7 yes; 0 no. Motion carried. Floor assignment: Senator Every.

FISCAL NOTE

Requested by Legislative Council
01/23/2001

Bill/Resolution No.: SB 2337

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$100,000	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

There is no Fiscal Impact on the State Unemployment Insurance Trust Fund.

However, the bill will require significant administrative work and associated cost for reprogramming of automated Job Insurance benefit and tax systems. Two (2) senior level programmers will need to work full-time for four (4) months on this project.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Expenditures are estimated at \$100,000 for system programming. These expenditures are operating costs for contracted programming. The expenditures would have to be absorbed in the agency Federal Grant for administering the unemployment insurance program.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and*

appropriations.

Name:	Wayne Kindem	Agency:	Job Service North Dakota
Phone Number:	328-3033	Date Prepared:	01/30/2001

PROPOSED AMENDMENTS TO SENATE BILL NO. 2337

Page 3, line 18, remove "and"

Page 3, line 21, replace the period with "; and"

Page 3, after line 21, insert:

- "h. Is approved in writing by the collective bargaining agent for each collective bargaining agreement that covers any employee in the affected unit."

Renumber accordingly

Date: 2/13/01
 Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2331

Senate Industry, Business and Labor Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt set of amendments

Motion Made By Sen Mathun Seconded By Sen Krebsbach

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	⊖				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:
To include collective bargaining agreement and to change etc.

Date: 2/13/01
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2337

Senate Industry, Business and Labor Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Sen Mathern Seconded By Sen Every

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	A				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Sen Every

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

REPORT OF STANDING COMMITTEE

SB 2337: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2337 was placed on the Sixth order on the calendar.

Page 3, line 18, remove "and"

Page 3, line 21, after "employees" insert "; and"

- h. Is approved in writing by the collective bargaining agent for each collective bargaining agreement that covers any employee in the affected unit"

Page 6, line 15, replace "August 5, 2001" with "July 7, 2002"

Renumber accordingly

Date: April 03/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2337

Senate Industry, Business and Labor Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do concur

Motion Made By Sen Espgaard Seconded By Sen Tollefson

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espgaard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Every

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

2001 SENATE APPROPRIATIONS

SB 2337

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2337

Senate Appropriations Committee

Conference Committee

Hearing Date February 19, 2001

Tape Number	Side A	Side B	Meter #
Tape #1	x		38.8-40.0
Tape #1	x		43.0-46.5
Committee Clerk Signature <i>Janice Peterson</i>			

Minutes:

Senator Nething opened the hearing on SB2337.

No one was present to testify. Hearing closed.

Senator Nething reopened the hearing on SB2337.

Senator Judy Lee, District 13, West Fargo, introduced SB2337 (a copy of her testimony is attached).

Jim Hersh, Job Service stated no impact.

Senator Solberg: Negative for unemployment?

Jim Hersh: Constituents share; 100% reimbursed.

No additional testimony on SB2337. Hearing closed by Senator Nething.

Page 2
Senate Appropriations Committee
Bill/Resolution Number SB2337
Hearing Date February 19, 2001

February 20, 2001 Full Committee (Tape #1, Side A, Meter No. 9.3-12.2)

Senator Nething reopened the hearing on SB2337.

Discussion. Senator Heitkamp moved a DO PASS, Senator Holmberg seconded.

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

Floor assignment back to original committee, carrier: Senator Every.

