

**2011 HOUSE POLITICAL SUBDIVISIONS**

**HB 1312**

# 2011 HOUSE STANDING COMMITTEE MINUTES

## House Political Subdivisions Committee Prairie Room, State Capitol

HB 1312  
February 3, 2011  
Job # 13988

☐ Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

Relating to compensation of members of county job development authority boards of directors.

### Minutes:

Testimony #1

Chairman Johnson: Opened the hearing on HB 1312.

Rep.Devlin: (See testimony #1).

Rep. Koppelman: Is there any estimate of what this might cost counties if they were implemented?

Rep.Devlin: I think the fiscal note is going to be very low. Per Diem is \$45 - \$62.50 or whatever and they meet quarterly or whatever so I don't think it would cost \$1000 statewide.

Chairman Johnson: This is a little bit different than the library one because the library just allowed for reimbursement of meals. It did not allow for any per diem in it, if I remember correctly.

Rep.Devlin: I thought we allowed for compensation. I think the issue was the Kidder County State's Attorney said they couldn't provide expenses or anything and I thought the committee went with compensation.

Chairman Johnson: We can check into that later.

Terry Traynor, Association of Counties: We have several counties in our association that were very interested in this bill and asked that I stand up and support the bill. Our 35 counties that have job development authority's levies. A number of the larger ones use their money to support a combination with the city job development authority. I too agree there wouldn't be a huge cost in this. I suspect that some counties would not provide reimbursement. Most of the county boards that are out there are capped out at \$45. Water board I believe is higher than that. We have never surveyed this because it was never

allowed. It some seem to be an issue in some counties to get people to participate. Some boards are paid and some are not paid. We hope you would give this a do pass.

Opposition: None

Neutral: None

Rep.Devlin: On the library issue that you raised the question on we used the term no compensation may be paid unless the board provides an ordinance to do that.

Hearing closed.

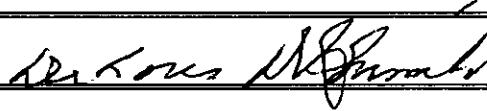
# 2011 HOUSE STANDING COMMITTEE MINUTES

## House Political Subdivisions Committee Prairie Room, State Capitol

HB 1312  
February 4, 2011  
Job # 14013

☐ Conference Committee

Committee Clerk Signature



### Minutes:

Chairman Johnson: Reopened the hearing on HB 1312.

Do Pass Motion Made by Rep. Kretschmar: Seconded by Rep. Klemin:

Discussion: None

Chairman Johnson: This basically says that they are allowed to compensation Job Development Authority board members.

Vote: 12 Yes 0 No 2 Absent Carrier: Rep. Kilichowski

Hearing closed.

Date: 2-4-11  
Roll Call Vote #: 7

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1312

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt  
Amendment

☐ Rerefer to Appropriations ☐ Reconsider \_\_\_\_\_

Motion Made By Rep. Kretschmar Seconded By Rep. Klemin

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Kilichowski	✓	
Vice Chairman Hatelstad	✓		Rep. Shirley Meyer	✓	
Rep. Beadle			Rep. Mock	✓	
Rep. Devlin	✓		Rep. Zaiser		
Rep. Heilman	✓				
Rep. Klemin	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep. Kilichowski

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

**REPORT OF STANDING COMMITTEE**

**HB 1312: Political Subdivisions Committee (Rep. N. Johnson, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1312 was placed on the Eleventh order on the calendar.

**2011 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1312**

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee  
Missouri River Room, State Capitol

HB 1312  
March 25, 2011  
15996

☐ Conference Committee

Committee Clerk Signature

*Kara Aivie*

## Explanation or reason for introduction of bill/resolution:

Relating to compensation of members of county job development authority boards of directors

## Minutes:

*Testimony attached*

**Representative Bill Devlin:** District 23, see attached testimony #1.

**Senator Cook:** There is no cap for what the compensation could be?

**Representative Bill Devlin:** There should be a cap somewhere in code but I have never seen anywhere the county commissions have overpaid their employees.

**Senator Cook:** A job development authority, wasn't that created under Ed Shaffer as a means to create jobs in the state?

**Representative Bill Devlin:** I can't give you the date but it was done to do that. Where this one came out of was in Nelson County.

**Senator Cook:** We created this in the 1990's when people were leaving the state and things have changed. Has this program run its course?

**Representative Bill Devlin:** I think that we are starting to see growth and there is a lot more that we can do as it would be valuable for rural areas.

**Senator Berry:** Have you seen this grow?

**Representative Bill Devlin:** There is a pasta plant in Steele County that would not be there if not for this program. We do want the best people on these boards as we can get, I just think that I can show you something in every town in my area that has been affected in a positive way.

**Chairman Dever:** Would you have a concern if we were to put to "not to exceed" in the amount?

**Representative Bill Devlin:** I would leave that to the wisdom of the committee.

There was no one else to speak in support, opposition or in a neutral position on HB 1312.  
Chairman Dever closed the public hearing.

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee  
Missouri River Room, State Capitol

HB 1312  
March 25, 2011  
15997

☐ Conference Committee

Committee Clerk Signature

*Katie Oliver*

## Explanation or reason for introduction of bill/resolution:

Relating to compensation of members of county job development authority boards of directors

## Minutes:

*No testimony attached.*

Senator Cook: I am pretty sure that the housing authority gets \$62.50. Typically a meeting is an hour and a half and it takes me a half hour to get there and a half hour to get back.

There is somewhere in code that deals with compensation that follows with the sentence about double dipping?

The committee then set HB 1312 aside for further consideration.

# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Government and Veteran's Affairs Committee Missouri River Room, State Capitol

HB 1312  
March 31, 2011  
16233

☐ Conference Committee

Committee Clerk Signature

*Kate Oliver*

### Explanation or reason for introduction of bill/resolution:

Relating to compensation of members of county job development authority board of directors.

### Minutes:

*No testimony attached*

**Chairman Dever** called the committee to order and brought HB 1312 to the table.

**Senator Cook:** I think that there should be a provision to limit the pay, a typical meeting is a 45min drive to the meeting, an hour meeting and a 45 minuet drive back. If you are going to pass it out, because they could already be being paid by someone else even if they take 2 hours off to go to a meeting.

**Senator Nelson:** The current law is 'may not receive' and the proposed change is 'may receive'.

**Senator Cook:** I am not sure if there are many other places in code that says that they will not receive compensation.

**Senator Berry:** By putting that language in there does it restrict it to people who maybe aren't being paid by someone else who need to stay at that level?

**Senator Marcellais:** Whose budget does it come out of?

**Chairman Dever:** The counties.

**Senator Marcellais:** Then I don't think that we should make that decision

**Chairman Dever:** If we wanted to put a limit on it we could put a coma at the end of that and say 'not to exceed...'

A motion was made for a do not pass by Senator Schaible with a second by Senator Cook, there was no further discussion, roll was taken and the motion passed 6-1 with Senator Schaible carrying the bill to the floor.

Date: 3/31/11  
Roll Call Vote # \_\_\_\_\_

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1312

Senate GVA Committee \_\_\_\_\_

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Schaible Seconded By Cook

Senators	Yes	No	Senators	Yes	No
Chairman Dever	X		Senator Marcellais	X	
Vice Chairman Sorvaag	X		Senator Nelson		X
Senator Barry	X				
Senator Cook	X				
Senator Schaible	X				

Total (Yes) 6 No 1

Absent \_\_\_\_\_

Floor Assignment Schaible

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

**REPORT OF STANDING COMMITTEE**

**HB 1312: Government and Veterans Affairs Committee (Sen. Dever, Chairman)**  
recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1312 was placed on the Fourteenth order on the calendar.

2011 TESTIMONY

HB 1312

Good Afternoon Madam Chairman and esteemed members of the House Political Sub-divisions Committee.

For the record, I am Rep. Bill Devlin of District 23, which is a rural county in eastern ND made up of all our part of five rural counties.

I am here today as the prime sponsor of HB 1312. It is a bill providing county government right to pay per diem to members of a County Job Development Authority. It is strictly permissive language allowing the local government to make that decision if they wish. To my knowledge it is the only county related board where this isn't allowed.

It is the same situation that we dealt with earlier on library boards.

In my area, we have people that drive 20 to 30 miles each way for a Job Development Authority meeting. Sometimes they spend the whole day, sometimes half a day but other than gas and a lunch they don't get reimbursed for any of their time. Many people are probably fine with that but in other times there is a need to provide some type of compensation.

This is strictly permissive language. It doesn't mandate anything but just allows a county to be able to provide per-diem in some situations if needed.

Madam Chairman and members of the committee I would appreciate your support of HB 1312 and I will try answer any questions.

Good morning Chairman Dever and esteemed members of the Senate GVA Committee.

For the record, I am Rep. Bill Devlin of District 23, which is a rural county in eastern ND made up of all or part of five rural counties.

I am here today as the prime sponsor of HB 1312. It is a bill giving county government permission to pay per diem to members of a County Job Development Authority. It is strictly permissive language allowing the local government to make that decision if they wish. To my knowledge it is the only county related board where this isn't allowed.

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Mr. Chairman and members of the committee I would appreciate your support of HB 1312 and I will try answer any questions.