

FISCAL NOTE

DEC 30 1994

(Return original and 10 copies)

Bill/Resolution No.: SB 2121 Amendment to: _____

Requested by Legislative Council Date of Request: 12-28-94

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, and cities.

Narrative:

See attached Narrative.

2. State fiscal effect in dollar amounts:

1993-95 <u>Biennium</u>		1995-97 <u>Biennium</u>		1997-99 <u>Biennium</u>	
<u>General</u> <u>Fund</u>	<u>Special</u> <u>Funds</u>	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Funds</u>	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Funds</u>

Revenues:

Expenditures:

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1993-95 biennium: _____
- b. For the 1995-97 biennium: _____
- c. For the 1997-99 biennium: _____

4. County and City fiscal effect in dollar amounts:

1993-95 <u>Biennium</u>		1995-97 <u>Biennium</u>		1997-99 <u>Biennium</u>	
<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>

If additional space is needed, attach a supplemental sheet.

Signed Allen C. Hoberg
Typed Name Allen C. Hoberg

Date Prepared: 12-30-94

Department Administrative Hearings

Phone Number 328-3260

NARRATIVE

SB 2121

SB 2121 amends a hearings process already in place, with minimal fiscal impact. Veteran's preference hearings are already conducted by hearing officers from the Office of Administrative Hearings under authority found in N.D.C.C. ch. 54-57. OAH estimates it will conduct no more than ten veteran's preference hearings this biennium (it has actually conducted only five to date). OAH already bills governmental employers or employing agencies for the total expenses or costs of performing its hearing officer duties, under authority of N.D.C.C. ch. 54-57 and § 37-19.1-04. This proposed legislation is more clear about the total costs or expenses actually involved, but it does not add any substantial costs. It does add some requirements to an existing procedure or process, however, that will have minimal fiscal impact. They are as follows:

1. The applicant (veteran) must send a copy of his or her request to the governmental employer or employing agency. This is not a cost to government. It is a cost to be borne by the applicant (cost of copying and stamps).
2. The Department of Veterans Affairs must send a copy of its request to the employer or employing agency. This will cost the Department the cost of copying each request and stamps for mailing it.
3. Finally, the party appealing to the courts (either veteran or employing agency), if any, will also be required to mail a copy of the appeal to the attorney general. Again, the costs are copying costs and the costs of stamps. This may or may not be a governmental expense, but the costs will be minimal.

Because these additional costs may come from either state, county, or city governmental entities, depending on whose personnel action is being appealed, it is difficult to tell whether general funds, special funds, federal funds or city and county funds will bear the impact. Again, however, the costs will be minimal.