

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1124

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1124

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1124

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 01-18-01

Tape Number	Side A	Side B	Meter #
#2	X		2058-2643
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes:

REP. M. KLEIN called the committee to order.

In Favor:

LINDA ENGMANN DIRECTOR of CENTRAL SERVICES DIVISION

Please refer to attached testimony.

ROGER BAILEY-NORTH DAKOTA NEWSPAPER ASSOCIATION

Please refer to attached testimony.

No questions.

REP. METCALF moved for a DO PASS, seconded by REP. BELLEW.

The motion was carried, 14-0, 1 absent and not voting. REP. HUNSKOR is the carrier of the bill.

FISCAL NOTE

Requested by Legislative Council
12/21/2000

Bill/Resolution No.: HB 1124

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	\$0	\$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.*

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.*

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:	Pam Sharp	Agency:	OMB
Phone Number:	328-4606	Date Prepared:	12/27/2000

Date: Jan. 18th, 2001
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. NB 1124

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Metcalf Seconded By Bellew

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP KROEBER	✓	
VICE CHAIR GRANDE	✓				
REP BELLEW	✓				
REP BRUSEGAARD					
REP CLARK	✓				
REP DEVLIN	✓				
REP HAAS	✓				
REP KASPER	✓				
REP KLEMIN	✓				
REP MEIER	✓				
REP WIKENHEISER	✓				
REP CLEARY	✓				
REP HUNSKOR	✓				
REP METCALF	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep. Hunskor

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

REPORT OF STANDING COMMITTEE (410)
January 18, 2001 12:08 p.m.

Module No: HR-08-1204
Carrier: Hunskor
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1124: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)
recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1124 was placed on the Eleventh order on the calendar.

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1124

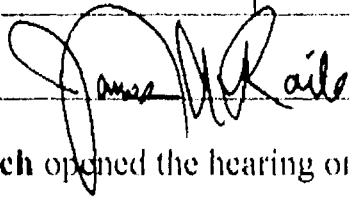
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1124

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date March 1, 2001

Tape Number	Side A	Side B	Meter #
1		X	20.4-30.7
2		X	18.1-20.1
Committee Clerk Signature 			

Minutes: **Chairman Krebsbach** opened the hearing on HB 1124 which relates to review and adjustment of rates for legal notices by the office of management and budget. Appearing before the committee to explain the bill was **Linda Engmann**, Director of Central Services Division of OMB. A copy of her written testimony is attached. **Chairman Krebsbach** inquired if election of a paper is done annually or biennially. **Ms. Engmann** indicated that every newspaper submits what their legal rate will be for legal publications so it is every newspaper. We approve or disapprove the rates based on what we feel is acceptable or not. Generally the recommendations of the newspapers and the newspaper association are consistent standard rates. There were no further questions. **Jack McDonald** representing the North Dakota Newspaper Association indicated that his group supports HB 1124 and recommends a Do Pass. **Senator C. Nelson** inquired how he interprets the phrase as soon as practicable. **Mr. McDonald** he believes it means as soon as they are able to do it. It's kind of the same thing as when they say a reasonable time in some other statutes and he thinks you look at that as what it says. In this case what

actually happens is that the newspaper association gathers newspapers and submits them to the office of management and budget and then they determine in there what the size of their columns are. They do not submit anything unless something changes in there and then they submit a new application. In this case sometimes the submissions do not all come in at once. They submit some and then submit others. OMB then issues a rate all at one time. It never has been determined that there is a 15 days that make the completion. It has never been followed so it does work out to be as soon as possible. There have been no problems. He believes it is just a matter of getting rid of the absolute deadline. **Senator C. Nelson** inquired about how far into the future does he see not publishing things in newspapers but instead having a lot of things done on electronic media. **Mr. McDonald** indicated while that is happening right now he doesn't see it going away in the near future as long we do have newspapers, for a couple of reasons. One of the problems of electronic publishing is that you don't know who does see it and who doesn't see it, who has that available to them. Right now the newspaper association does have a web page that they put up all legal notices on. He doesn't know if the actual electronic publishing will ever entirely supplant publishing in a newspaper, but it will go hand in hand. Newspapers still have the greater coverage of legal notices. The legal notice rates are the same throughout the state. This statute sets the rates. **Senator Wardner** inquired if Administrative Rules are under this statute as well. **Mr. McDonald** indicated they are. **Senator Dever** inquired about how often legal rates change. He was of the impression that they changed annually. **Mr. McDonald** indicated they do not change annually. Rather they change about once every 3 to 4 years. There was no further testimony in support of, in neutral position on, or in opposition to HB 1124. **Chairman Krebsbach** closed the hearing at this time. Discussion on HB 1124 was opened. A motion for a Do Pass was made by **Senator C. Nelson**, seconded by **Senator Kilzer**. Roll Call

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Senate Government and Veterans Affairs Committee

Bill/Resolution Number HB 1124

Hearing Date March 1, 2001

Vote indicated 6 Yeas, 0 Nays, and 0 Absent or Not Voting. **Senator C. Nelson** will carry the bill.

Date: 3/01/01
 Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1124

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. C. Nelson Seconded By Sen. Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator Carolyn Nelson	✓	
Senator Dick Dever, Vice-Chr.	✓		Senator Tim Mathern	✓	
Senator Ralph Kilzer	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. C. Nelson

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

REPORT OF STANDING COMMITTEE (410)
March 1, 2001 3:47 p.m.

Module No: SR-35-4643
Carrier: C. Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1124: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1124
was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1124

H.B. 1124

Presented by: Linda Engmann, Director
Central Services Division

Before: Government and Veterans Affairs Committee
Matthew Klein, Chairman

Date: January 18, 2001

TESTIMONY

Chairman Klein and members of the committee, my name is Linda Engmann. I am the director of Central Services Division of the Office of Management and Budget.

This bill allows OMB to award certificates for legal rates to newspapers in the state as soon after as is practicable after the 15 day requirement. Sometimes circumstances do not allow the issuing of the certificates within the 15 days such as incomplete samples from the newspapers or errors in computing the rate that need to be resolved. We would not want to be in violation of statute because the certificates were issued on the 16th, 17th or 18th day.

This bill also changes the requirement for OMB to review the legal rates biennially rather than annually. Legal rates generally don't change annually.

This concludes my testimony. I will be happy to answer any questions.

**TESTIMONY BEFORE THE
HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE**

January 18, 2001

HB 1124

Chairman Klien and committee members:

I'm Roger Bailey. I'm appearing today on behalf of the members of the North Dakota Newspaper Association.

The newspapers of North Dakota support HB 1124 as requested by the Office of Management and Budget.

Reviewing state public notice advertising rates biennially rather than annually will match the state's two-year budget cycle.

As you may be aware, public notice rates – sometimes called “legal” rates – are not set by the newspapers but are determined by the Office of Management and Budget. The per-line base rate is the same for all newspapers no matter their location or circulation. The newspapers of North Dakota have appreciated the cooperative efforts of the Office of Management and Budget in the past and we look forward to working with OMB in the future.

Thank you for your time and consideration of support for this bill

If you have any questions, I will try to answer them.

H.B. 1124

Presented by: Linda Engmann, Director
Central Services Division

Before: Government and Veterans Affairs Committee
Karen Krebsbach, Chair

Date: March 1, 2001

TESTIMONY

Chairman Krebsbach and members of the committee, my name is Linda Engmann. I am the director of Central Services Division of the Office of Management and Budget.

Requirements under the current statute are that certifications for legal rates must be issued within 15 days after the newspapers submit samples to OMB. This bill allows OMB to award the certificates as soon after as is practical after samples are submitted. Sometimes circumstances do not allow the issuing of the certificates within the 15 days such as incomplete samples from the newspapers or errors in computing the rate that need to be resolved. We would not want to be in violation of the statute because the certificates were issued on the 16th, 17th or 18th day.

This bill also changes the requirement for OMB to review the legal rates biennially rather than annually. Legal rates generally don't change annually.

This concludes my testimony. I will be happy to answer any questions.