

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2011

2001 SENATE APPROPRIATIONS

SB 2011

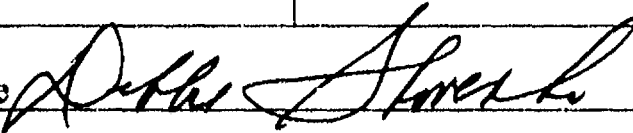
## 2001 SENATE STANDING COMMITTEE MINUTES

### BILL/RESOLUTION NO. 2011

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 11, 2001

Tape Number	Side A	Side B	Meter #
3	Hwy Patrol		0.0-53.5
3		Hwy Patrol	0.0-4.5
Committee Clerk Signature 			

Minutes:

Senator Nething opened hearing on ND Highway Patrol.

Colonel James M. Hughes, ND Highway Patrol, (testimony attached) praised the committee for past support and contributions to the Highway Patrol. The first responsibility of the field division of the Highway Patrol is for traffic accident prevention, to enforce traffic laws, providing public awareness and education. During 2000, North Dakota recorded 85 fatalities in 79 fatal crashes. This is a decrease of fatalities from the 199 (92 fatal) recorded in 1999. Alcohol was a factor in 35 of the crashes and 85 percent of the fatal crash victims were not restrained. The department is structured into eight districts for a geographic portion of the state for accident prevention and traffic law enforcement and we have gone from five commanders for the districts to eight. We provide a safe environment for the executive, legislative, and judicial bodies of state government at the Capitol. The Motor Carrier Division includes the permit section, the Motor Carrier Safety Assistance Program and eight weigh/inspection stations. This department collected \$369,282 in overweight fees for fiscal year 2000 of which troopers

collected 81 percent. Education and enforcement is an effective combination in the area of traffic safety. Education plays a vital role in the reduction of traffic crashes and the loss of life.

Sobriety checkpoints were started on

May 12, 2000, with eight more during the year. "Freedom to Choose" is a

computer-synchronized presentation developed in the summer of 2000. Traffic safety

presentations were given to school children, civic groups, private businesses, and government

agencies. The Highway Patrol is responsible for the operation, maintenance, and administration

of the law enforcement training center. We have additional utilization with additional

administrative meetings, training and associated training activities. These activities accounted

for an additional 21,782 man-hours of activity utilization. The State Mobile Data

Communications System became fully operational just prior to July 1, 1999. The Phase II

expansion included 5 additional tower sites equipped with data radio base stations and the we

plan on equipping 20 additional Highway Patrol vehicles. We also have expanded from two to

eight laser crash mapping systems which provides for more efficient measuring and diagramming

of crash scenes. The first 15 months of this biennium we have provided over 173,000 hours of

patrolling highways traveling more than 3,700,000 miles. Our three trooper/canine units

responded to requests from 30 different agencies in the state. We maintain flexibility to address

safety issues, closing hundreds of miles of roadways due to weather conditions. Troopers make

instant decisions every day with 132 sworn officers, 37 motor carrier inspectors, and 27 support

staff and educating and training our employees to the best job possible is a priority. Our budget

summary for the 2001-2003 biennium budget is for: eight field districts, LETA - Law

Enforcement Training Academy, eight weigh/inspection facilities, 196 FTE's (131 officers and

38 eight/inspection employees) 2 less than the 1999-2001 budget. Tape meter 27.8

Senator Nething: Yesterday we heard the Department of Transportation on the motor pool division re mileage costs, is this mainly because of gas prices.

Colonel Hughes: The legislature only allows so many cents per mile and we are allowed 36 cents per mile. Last year in September, 2000, it was raised by the motor pool to 50 cents per mile and we had to absorb the increase; our only alternative was to ask troopers to cut mileage to 1800 miles per month and team up to absorb the \$400,000 increase in mileage; all in all our budget to pay motor pool with the increased rates was to cut mileage and the deficiency is not paid down.

Senator Bowman: Is this budget for 50 cents per mile?

Colonel Hughes: Yes, made by motor pool rate.

Senator Bowman: If the price comes down, will there be savings down the road.

Colonel Hughes: It is down to 45 cents per mile; 5 cents now saved from motor pool.

Senator Heitkamp: I have questions about the sobriety check points; I have had numerous calls that this is an invasion of their privacy; where is this in the judicial system?

Colonel Hughes: The answer to sobriety check points has been rules on many times and they are considered legal. The most recent Supreme Court decision was to do with testing on drugs at the check points explaining that alcohol is not safe and that drugs are not the danger on highways.

Senator Heitkamp: Is there going to be more check points in the future; any new action in coming years?

Colonel Hughes: Yes. We this is our intentions and to work with cities to do so.

Senator Tomac: If you are cutting your staff by 2, where is 8 Million going?

Mark Bethke, from Highway Patrol, answered, the \$1.9 million is actually for salary increase; operating expenses \$1.2 million; \$1 million motor pool; \$470,000 equipment; \$250,000 from

federal funding; \$220,000 to expand or continue mobile data; \$2.5 million is going to federal motor carrier programs for underaged drinking program; \$420,000 local agencies.

Senator Nething: Are all these numbers in the budget?

Mark Bethke: The utilization rate is around 50%; striving to be more utilized.

Senator Lindaas: Asking Colonel Hughes; Is the best system for the Highway Patrol through the motor pool system; would it be better to handle own vehicles?

Colonel Hughes: At the emergency appropriation hearing, we were also asked if we would be better off not going to motor pool; with the overall price we feel motor pool is best when you consider maintenance. I'm not sure about all the costs involved and we are not critical of DOT; we are both team players.

Senator Bowman: I have two things; considering all law enforcement, would all law enforcement help Highway Patrol if necessary? Has your service escalated?

Colonel Hughes: Answer both questions is yes.

Senator Solberg: About the mobile data system; both the Highway Patrol and State Radio use this system; are they funded separately?

Dave Krabbenhoft, OMB: They are separate; State Radio funds updates, Highway Patrol per car unit.

Tape Side B, meter 2.4

Curt Peterson, representing Associated General Contractors of ND, (testimony attached) testified in opposition to how this budget for the Highway Patrol is created. ND needs approximately \$13 million more than what was required last year to match the proposed increase in federal highway funds. The mandate set in Article 10 of Section 11 of the North Dakota Constitution clearly states that Highway revenues are to be utilized and appropriate solely for construction,

**Page 5**

**Senate Appropriations Committee**

**Bill/Resolution Number 2011**

**Hearing Date : January 11, 2001**

re-construction and maintenance of public highways. It would be a huge stretch to believe that the

State Highway Patrol has any responsibility for any of the purposes identified in the constitution.

I request that this committee not accept this proposal and find other means of funding the

Highway Patrol, suggesting from the general fund.

Hearing closed. Tape #3, Side B, meter 4.4

February 19, 2001 Full Committee (Tape #3, Side A, Meter No. 41.3-50.2)

Senator Nething reopened the hearing on SB2011.

Senator Nething presented amendments (18035.0102). Discussion followed the explanation.

Senator Kringstad moved the amendments, Senator Tallackson seconded. Discussion on the bill.

Senator Kringstad moved a DO PASS AS AMENDED; Senator Tallackson seconded. Roll Call

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

Senator Tallackson accepted the floor assignment.



Date: 2-19-01

Roll Call Vote #: 1

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2011**

Senate Appropriations Committee

☐ Subcommittee on \_\_\_\_\_

or

☐ Conference Committee

Legislative Council Amendment Number 18037.0102

Action Taken As passed as amended

Motion Made By Sen Kringstad Seconded By Sen Tallackson

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac					
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 13 No 0

Absent 1

Floor Assignment Senator Tallackson

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

**REPORT OF STANDING COMMITTEE**

**SB 2011: Appropriations Committee (Sen. Nething, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2011 was placed on the Sixth order on the calendar.

Page 1, replace lines 8 through 12 with:

"Administration	\$2,164,675
Field operations	30,095,704
Law enforcement training academy	<u>982,723</u>

Page 1, line 13, replace "33,243,143" with "33,243,102"

Page 1, line 14, replace "21,159,342" with "21,159,321"

Page 1, line 15, replace "12,083,801" with "12,083,781"

Page 1, line 17, replace "\$13,729,899" with "\$13,729,878"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$20,690,143	(\$20,690,143)	
Operating expenses	6,218,000	(6,218,000)	
Equipment	1,285,000	(1,285,000)	
Capital improvements	50,000	(50,000)	
Grants	5,000,000	(5,000,000)	
Administration		2,164,675	\$2,164,675
Field operations		30,095,704	30,095,704
Law enforcement training academy		982,723	982,723
Total all funds	\$33,243,143	(\$41)	\$33,243,102
Less estimated income	<u>21,159,342</u>	<u>(21)</u>	<u>21,159,321</u>
General fund	\$12,083,801	(\$20)	\$12,083,781
FTE	196.00	0.00	196.00

**Dept. 504 - Highway Patrol - Detail of Senate Changes**

	PROVIDE PROGRAM APPROPRIATIONS	ADJUST MARKET EQUITY SALARY INCREASE 1	TOTAL SENATE CHANGES
Salaries and wages	(\$20,690,143)		(\$20,690,143)
Operating expenses	(6,218,000)		(6,218,000)
Equipment	(1,285,000)		(1,285,000)
Capital improvements	(50,000)		(50,000)
Grants	(5,000,000)		(5,000,000)
Administration	2,164,716	(\$41)	2,164,675
Field operations	30,095,704		30,095,704
Law enforcement training academy	982,723		982,723
Total all funds	\$0	(\$41)	(\$41)
Less estimated income		<u>(21)</u>	<u>(21)</u>
General fund	\$0	(\$20)	(\$20)
FTE	0.00	0.00	0.00

**REPORT OF STANDING COMMITTEE (410)**  
**February 20, 2001 8:51 a.m.**

**Module No: SR-31-3947**  
**Carrier: Tallackson**  
**Insert LC: 18037.0102 Title: .0200**

<sup>1</sup> This amendment reduces, from \$3,567 to \$3,526, the amount provided for a market equity salary increase for the superintendent. The amount included in the bill will provide for a monthly increase of \$167.75 and related fringe benefits for the last 18 months of the biennium.

2001 HOUSE APPROPRIATIONS

SB 2011

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2011

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 8, 2001

Tape Number	Side A	Side B	Meter #
03-08-01 tape #3	0 - 4408		
Committee Clerk Signature <i>Kathleen L. Hall</i>			

Minutes:

The committee was called to order, and opened the hearing on SB 2011, budget of the ND Highway Patrol.

James M. Hughes, Superintendent of the ND Highway Patrol: Had prepared written testimony, and read from it to the committee.

Rep. Skarphol: Has had discussions with persons about weigh stations, and why some are located where they are. For instance, why in Minot, where there are no borders.

James Hughes: Over the last few years we had more weigh stations than we have now. They have been reducing the numbers slowly. Gave some history as to weigh stations, and who does what now. We have now done about all we can with neighboring states. Our motor carrier officers have low profile scales, and they go to the trucks. There is politics still involved with the remaining scales. The Minot scale may eventually be closed, or at least relocated.

Rep. Skarphol: It's not a problem to avoid the scale if I would want to.

Rep. Byerly: Is that the only internal scale in the state?

James Hughes: Probably.

Rep. Skarphol: Would it be better for us to close the Minot scale and let your mobile units better use the money? Do you need a time certain?

James Hughes: I think what will happen is that it will take its course. There has been lots of talk between various agencies, and it will take its natural course. That probably is best, to do it over time.

Rep. Byerly: If we do it, it takes the heat off you.

James Hughes: Something will be needed. We have 2 less FTE's requested from last session. There is lots of federal money to be had in the truck patrolling problem. There does need to be a presence in that area dealing with Canada truck traffic.

Rep. Skarphol: Was not implying that we close the scale and take the money. He wants it to be used for mobile patrolling. The troopers you hired in the last few years, is that due to a lot of retirees? What is the number of unlighted vehicles you have. Why would you have a vehicle without lights.

James Hughes: Yes. We have 8 vehicles with no top lights but signs on the doors. There are some instances where this is a deterrence. Drivers may slow down because they don't know if its a patrol car or not. The lighting systems have changed with technology. The lighting technology is so much better than before. He doesn't like sneaking around with unmarked cars, and he has no totally unmarked cars in the fleet. We had a Camero, we had a Mustang, and a Lincoln. They did not work in the winter, they were too light, and had no storage room. The public didn't like the trooper driving a Lincoln. They are trying out the unlighted cars to see if it helps on gas mileage, but it hasn't really made much affect.

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Government Operations Division

Bill/Resolution Number SB 2011

Hearing Date March 8, 2001

Rep. Byerly: Commented that the committee members would like to do ride-a longs during the session, to see how everything works now.

James Hughes: Says no problem, and if the committee wants to tour the academy that would be fine.

Rep. Carlisle: Didn't we fund a mobile unit last session, a command post thing?

James Hughes: We didn't do that.

Rep. Skarphol: In the budget detail, I would assume that travel is your gasoline, right?

James Hughes: Yes.

The chairman closed the hearing on this bill.

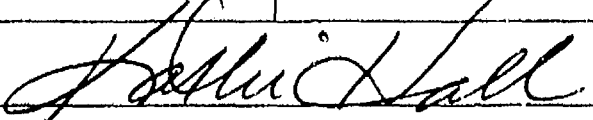
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2011

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 9, 2001

Tape Number	Side A	Side B	Meter #
03-09-01 tape #1	1518 - 3530		
Committee Clerk Signature 			

Minutes:

The committee was called to order, and opened committee work on SB 2011, the Highway Patrol budget.

Chairman Byerly: Some of you missed the hearing on this yesterday. Laying at your spot should have been the written testimony from Jim Hughes. Basically he read the whole thing, so you can read it and know what he said. There are a couple of minor changes. The Senate amended, and requested Jim Smith to explain.

Jim Smith, LC: The Senate did two things, first the highway patrol wanted some flexibility instead of the traditional budget line items, it was put into a single line item.

Chairman Byerly: This is a method that can be used by the Highway Patrol to cover increased fuel costs, and gives them more flexibility in their budget, because they don't have to come to the budget section to move those line items around now.



Rep. Koppelman: Wonders if they are seeing a trend in this request, that more and more agencies will want to do this, and have incredible flexibility, and removes accountability.

Chairman Byerly: For at least three bienniums, maybe four, there were 7 state agencies that we did this with as an experiment. The Highway Patrol was one of them. If you remember when we had the overview of Higher Ed, that was one of my questions to Senator Nething, why did you work so hard to get rid of it, and now put it back in higher ed, and now they put it back in Highway Patrol. I understand the reasoning on Highway Patrol, because Highway Patrol is truly a unique agency in our state government, because their requirements change because of things like the weather and the president coming into the state, etc. They were only on the normal budgeting setup just this biennium.

Rep. Koppelman: The general format is still very general. It still would leave an incredible amount of leeway for administration. They can come to the budget section for special needs.

Chairman Byerly: The problem we ran into with the Highway Patrol is when the price of gas went crazy. Blizzards don't respect budget years. The Highway Patrol was always one that in the performance based budgeting, actually worked very well. Because it gave them the flexibility they needed.

Rep. Koppelman: How do we avoid the appearance of picking and choosing. Every agency will want this.

Chairman Byerly: We don't.

Rep. Glassheim: They wouldn't have flexibility in grants, would they? That wouldn't be affected by the raise in gas prices. What if we do modify the line items of the budget, can we have reporting requirements, what they've done and keep us informed.

Chairman Byerly: Federal grants for highway safety, etc. Some are pass through grants also. Historically, remember, this has been a performance based budget. They had a set of reporting criteria. Maybe we could amend to say they have to use the criteria that were developed under performance based budgeting. That was a complete reporting system.

Rep. Glassheim: You loose control of FTE's also this way, because we can say they can get so many but then they can move that to gasoline if they want.

Chairman Byerly: They can if they have vacancies, but we don't allow them open ended number of FTE's. As a result of our actions, no matter what we do, they will only have a set amount of employees. They can't go out and hire more FTE's, even if they have the money to do so. It's not in the bill, its just that that is the appropriation, see the pink sheets. Unless we authorize additional FTE's. Unless they come to the budget section, and then I don't think we can authorize FTE's.

Jim, LC: Traditionally, that has been a limit. There may have been an isolated case where the governor's hiring council has approved a position.

Rep. Koppelman: Needs some information as a new appropriations committee as to the budgeting process, and the flexibility there or not there.

Rep. Skarphol: No matter how the budget is set up, they still have to come back next biennium with a budget request and full detailed report as to where the money is spent. He wants to amend into the bill, if the committee is willing, is the permanent weigh stations, and eliminating them and going to the mobile stations. There is no reason to have a station in Minot. He wants to give the department flexibility in this area.

Sandy, OMB: If you go with the performance budget, and the budget would then next time be submitted in that fashion.

Rep. Byerly: Informs the committee that last session the committee really spent too much time on this budget, and forecasted the price of gas into the future, and did not give them enough flexibility in their budget. You saw that in the deficiency bill. They are a unique agency, and we spent too much time and too much detail in that budget review.

(Misc discussion not relating to the bill itself).

Chairman Byerly: Lets let this bill just sit for a day or so, and lets see what Mr. Hughes brings to us. Asks LC to check and see when they were a performance based budget if there was any language in the bill that addressed any performance measures for reporting.

Rep. Glassheim: When we do this bill, is this where we would address any additional gas tax or other tax increase? Would that be this bill or another bill?

Chairman Byerly: Well they did in Governor Schafer's and Governor Hoeven's budgets they did increase the participation of the general fund by another \$2.5 million. We are slowly edging up on this being a general fund agency. There is still an argument on if this should be one or not. It will probably be in another bill. One session its one way, another session it's the other.

The chairman closed the hearing on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2011

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 12, 2001

Tape Number	Side A	Side B	Meter #
03-12-01 tape #1	0 - 300		
Committee Clerk Signature <i>Kathleen Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2011.

Chairman Byerly: Handed out a memo prepared by the LC, on performance based budgeting on the highway patrol, and other history on the issue.

The end result is that up until last time, the highway patrol budget was performance based until cross over. This time it was broken out by OMB as per the directions of the legislature.

Roxanne, LC: The highway patrol bill that was passed and signed in the 1999 session was a performance based budget. Does not see any performance measures. Can get the past performance measures for the committee.

Chairman Byerly: The performance measures were always guidelines in OMB's budgeting. They were in the big book, what they were expected to do versus what they actually did. The detail books from last session have this.

The chairman closed the hearing on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2011

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date March 14, 2001

Tape Number	Side A	Side B	Meter #
03-14-01 tape #1	2900 - 3465		
Committee Clerk Signature <i>Kathie Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2011.

Rep. Skarphol: When we discussed the Patrol budget before we talked about the performance based budget that they had, and we asked about the performance measurements that they had previously.

Sandy, OMB: Has only one copy, and not with her.

Chairman Byerly: One option we have is to add a section that says the performance based budget parameters that were used in the 1999-2001 budget shall apply.

Rep. Skarphol: There is nothing to do on the weigh stations, they will take care of themselves in time.

(Some basic, general discussion. The only thing different with this bill from before is an additional \$2.5 million out of general funds. It used to be out of highway distribution money.

We are on a path to get them to be a general fund agency).

Page 2

Government Operations Division

Bill/Resolution Number SB 2011

Hearing Date March 14, 2001

Rep. Skarphol: Moves to amend to put the performance measures into the budget.

Seconded by Rep. Carlisle.

Voice vote on motion passes. Amendment adopted.

Rep. Thoreson: Moves DO PASS AS AMENDED. Seconded by Rep. Carlisle.

Rep. Glassheim: Would prefer to go the other way with putting the money in the highway fund. Will vote for this, knowing it will be decided later.

Vote on Do Pass as Amended : 7 yes, 0 no, 0 absent and not voting. Motion passes.

Rep. Thoreson is assigned to carry the bill to the full committee.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2011

House Appropriations Committee

☐ Conference Committee

Hearing Date April 4, 2001

Tape Number	Side A	Side B	Meter #
04-04-01 tape #1	2647 - 5631		
Committee Clerk Signature <i>Kathleen Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2011, the Highway Patrol budget.

Rep. Thoreson: Explains that the subcommittee did not make a lot of changes to the Senate version, but did make one amendment .0201. He went through the pink sheets. He then explained the amendment approved by the subcommittee. Moves to adopt the amendment.

Seconded by Rep. Carlisle.

Voice vote adopted the amendment.

Rep. Byerly: Moves to further amend to remove section 2 of the bill and other comparable language necessary to change the funding to general fund. It also frees up money in the Highway Distribution Trust Fund. We would be able to make the federal match without increasing any fees, taxes, license plates, etc. Seconded by Rep. Skarphol.

Chairman Timm: I think we all know that there have been several ideas floating around the session about funding for the highways. It started out here with the governor's proposal of increasing registration fees. It ended up in the Senate as an excise tax, it's back in the House as a proposal for an increase in registration fees, license fees, and drivers license fees. Some of us feel that this should be a general fund agency. This is a good time to make that switch.

Rep. Glassheim: Thinks we have been slashing other budgets too much for him to take, and this is more than he can stand. Explains his position.

(Committee discussion on this issue. Rep. Monson questions the Great Plains Transportation Institution. Rep. Byerly explains the budget and bill as amended in whole.)

Voice vote on motion adopts the amendment.

Rep. Thoreson: Moves DO PASS AS AMENDED. Seconded by Rep. Koppelman.

Vote on Do Pass as Amended : 19 yes, 2 no, 0 absent and not voting.

Rep. Thoreson is assigned to carry this bill to the floor.



March 14, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 1, after "patrol" insert "; and to provide a statement of legislative intent"

Page 2, after line 2, insert:

**"SECTION 4. LEGISLATIVE INTENT - PERFORMANCE MEASURE  
MONITORING.** It is the intent of the legislative assembly that the highway patrol  
monitor its actual to planned expenditures and its actual to projected performance  
measures by program for the biennium beginning July 1, 2001, and ending June 30,  
2003. The highway patrol shall make this information available as requested by the  
appropriations committees of the fifty-eighth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Dept. 504 - Highway Patrol - House Action**

A section is added providing that the Highway Patrol monitor its actual to planned expenditures and its actual to projected performance measures for each of its programs during the 2001-03 biennium.

Date: 3-14-01  
Roll Call Vote #: 1

**2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2011**

House Appropriations - Government Operations Division Committee

☒ Subcommittee on ~~Governmental Operations~~ Govt Operations  
or  
☐ Conference Committee

Legislative Council Amendment Number 18057.0-201

Action Taken Motion to amend.

Motion Made By Rep. Skarphol Seconded By Rep. Carlino

[illegible]

**Total** (Yes) \_\_\_\_\_ **No** \_\_\_\_\_

**Absent**

### Floor Assignment

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

Date: 3-14-01  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB2011

House Appropriations - Government Operations Division Committee

☒ Subcommittee on ~~Appropriations~~ Govt Operations  
or  
☐ Conference Committee

Legislative Council Amendment Number 18037.0201

Action Taken To Pass As Amended.

Motion Made By Rep Whareson Seconded By Rep Carlisle

Representatives	Yes	No	Representatives	Yes	No
Rep. Rex R. Byerly - Chairman	✓		Rep. Eliot Glassheim	✓	
Rep. Ron Carlisle - Vice Chairman	✓		Rep. Robert Huether	✓	
Rep. Kim Koppelman	✓				
Rep. Bob Skarphol	✓				
Rep. Blair Thoreson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Rep. Whareson

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

Date: 4-4-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2011

House APPROPRIATIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 18037.0201

Action Taken motion to adopt amendment

Motion Made By Rep. Thoreson Seconded By Rep. Carlisle

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm			Rep - Martinson		
Rep - Byerly			Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim			Rep - Thoreson		
Rep - Guleson			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniske					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

*adopted*

## PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 1, after "patrol" insert "; and to provide a statement of legislative intent"

Page 1, line 12, replace "21,159,321" with "7,429,443"

Page 1, line 13, replace "12,083,781" with "25,813,659"

Page 1, remove lines 14 through 18

Page 2, after line 2, insert:

**"SECTION 3. LEGISLATIVE INTENT - PERFORMANCE MEASURE MONITORING.** It is the intent of the legislative assembly that the highway patrol monitor its actual to planned expenditures and its actual to projected performance measures by program for the biennium beginning July 1, 2001, and ending June 30, 2003. The highway patrol shall make this information available as requested by the appropriations committees of the fifty-eighth legislative assembly."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

## Dept. 504 - Highway Patrol - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$20,690,143			
Operating expenses	8,218,000			
Equipment	1,285,000			
Capital improvements	50,000			
Grants	5,000,000			
Administration		\$2,164,675		\$2,164,675
Field operations		30,095,704		30,095,704
Law Enforcement Training Academy		982,723		982,723
Total all funds	\$33,243,143	\$33,243,102	\$0	\$33,243,102
Less estimated income	<u>21,159,342</u>	<u>21,159,321</u>	<u>(13,729,878)</u>	<u>7,429,443</u>
General fund	\$12,083,801	\$12,083,781	\$13,729,878	\$25,813,659
FTE	196.00	196.00	0.00	196.00

## Dept. 504 - Highway Patrol - Detail of House Changes

	CHANGE FUNDING SOURCE	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Administration		
Field operations		
Law Enforcement Training Academy		
Total all funds	\$0	\$0
Less estimated income	<u>(13,729,878)</u>	<u>(13,729,878)</u>
General fund	\$13,729,878	\$13,729,878

FTE

0 00

0 00

1 This amendment removes funding of \$13,729,878 from the highway fund and replaces it with \$13,729,878 from the general fund. Related Section 2 is also removed.

A section is added providing that the Highway Patrol monitor its actual to planned expenditures and its actual to projected performance measures for each of its programs during the 2001-03 biennium.

Date: 4-4-01  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2011

House APPROPRIATIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 18037.0202

Action Taken Motion to Amend.

Motion Made By Rep. Byerly Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm			Rep - Martinson		
Rep - Byerly			Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim			Rep - Thoreson		
Rep - Gulleson			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniako					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Remove section 2.  
changes funding to general fund.

*Passed*

Date: 4-4-01  
Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 582011

House APPROPRIATIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 18037.0202

Action Taken Do PASS As Amended.

Motion Made By Rep. Thoreson Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol	✓	
Rep - Delzer	✓		Rep - Svedjan	✓	
Rep - Glassheim		✓	Rep - Thoreson	✓	
Rep - Gulleson	✓		Rep - Warner		✓
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman	✓				
Rep - Kliniak	✓				

Total (Yes) 19 No 2

Absent 0

Floor Assignment Rep. Thoreson

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



proposed Agency 319 funds. The funds from the attorney general refund fund must be transferred to the state department of health operating fund as requested by the state health officer."

Page 5, remove lines 22 through 30

Page 6, remove lines 1 through 14

Page 8, replace lines 23 and 24 with:

**SECTION 14. LEGISLATIVE INTENT - CENTERS FOR DISEASE CONTROL AND PREVENTION FUNDS.** It is the intent of the legislative assembly that the state department of health use the grant funds from the centers for disease control and prevention, as allowed, to fund tobacco counter-marketing and public education campaigns and local tobacco prevention coordinators and that local public health administrators supervise the local tobacco prevention coordinators."

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2004 - State Department of Health - House Action

EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119
FTE	248.88	317.88	315.08

Page 301 - State Department of Health - Detail of House Changes

REDUCE SALARIES IN ADMINISTRATIVE SERVICES	REDUCE OPERATING IN ADMINISTRATIVE SERVICES	REDUCE OPERATING IN ADMINISTRATIVE SERVICES	REDUCE OPERATING IN PREVENTIVE HEALTH	REDUCE OPERATING IN PREVENTIVE HEALTH	REDUCE OPERATING IN PREVENTIVE HEALTH
Salaries and wages	\$7,188	\$7,188	\$7,188	\$7,188	\$7,188
Operating expenses					
Equipment					
Capital improvements					
Grants					
Salaries, wages, and other					
Food payments					
Centers for Disease Control and Prevention tobacco funds					
Total all funds	\$7,188	\$7,188	\$7,188	\$7,188	\$7,188
Less estimated income					
General fund					
FTE					

Salaries and wages	\$8,857,739	\$8,857,739	\$8,857,739	\$8,857,739	\$8,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

Salaries and wages	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739	\$88,857,739
Operating expenses	17,985,006	17,985,006	17,985,006	17,985,006	17,985,006
Equipment	1,464,488	1,464,488	1,464,488	1,464,488	1,464,488
Capital improvements	41,794	41,794	41,794	41,794	41,794
Grants	24,178,292	24,178,292	24,178,292	24,178,292	24,178,292
Salaries, wages, and other	17,558,879	17,558,879	17,558,879	17,558,879	17,558,879
Food payments	7,688,354	7,688,354	7,688,354	7,688,354	7,688,354
Centers for Disease Control and Prevention tobacco funds		2,388,854	2,388,854	2,388,854	2,388,854
Total all funds	\$88,548,453	\$88,464,463	\$88,874,221	\$88,874,221	\$88,874,221
Less estimated income	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282	\$1,253,282
General fund	\$15,046,483	\$14,993,227	\$14,734,119	\$14,734,119	\$14,734,119
FTE	248.88	317.88	315.08	315.08	315.08

1. Remove funding for one FTE position to develop total minimum daily funds (TMDF) and pollution control plans. The funding level pattern is \$48,878 and the special funds portion from the water development fund is \$11,252.
2. Provide the funding from the water development fund (\$11,252) that was removed from the one TMDF position be allocated to replace the funding for the water development fund (\$11,252) and the funding for the TMDF program.
3. Reduce funding for operating expenses (\$24,178,292) and equipment (\$4,179,488) and reduce the number of wages by one, at a rate of \$24,178,292 per month. The funding for the TMDF program is \$11,252 per month.
4. Increase funding from the general fund for operating expenses grants by \$120,000 to \$1,200,000.
5. Increase funding from the general fund for operating expenses grants by \$120,000 to \$1,200,000.
6. The funding for the TMDF program is \$11,252 per month.
7. Provide additional funding authority for grants to public health units from the general fund, which will address the funding for the TMDF program.
8. Adjustments to the salaries, operating, equipment, and grants line items to reflect the actual budget breakdown of the Centers for Disease Control and Prevention grants. An amendment was made in the Senate to transfer the funding grant dollars to a tobacco prevention and control line item, in which the funding for the TMDF program is \$11,252 per month.
9. Center's tobacco prevention and control funding from the Centers for Disease Control and Prevention for state-wide tobacco prevention and control. The funding for the TMDF program is \$11,252 per month.
10. This amendment appropriates \$50,000 from the Attorney General refund fund for a grant to the North Dakota Statewide Tobacco Prevention Association for operating and beginning to implement a plan to reduce the potential environmental impact from household operations and for meeting related Environmental Protection Agency 319 funds.

### REPORT OF STANDING COMMITTEE

SB 2011, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends amendments AS FOLLOWS and when so amended, recommends DO PASS (25 YEARS, 2 DAYS, 0 ASSENT AND NOT VOTING). Engrossed SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 1, after "parol" insert "; and to provide a statement of legislative intent"

Page 1, line 12, replace "21,159,321" with "7,429,443"

Page 1, line 13, replace "12,083,781" with "25,813,659"

Page 1, remove lines 14 through 18

Page 2, after line 2, insert:

**"SECTION 3. LEGISLATIVE INTENT - PERFORMANCE MEASURE MONITORING.** It is the intent of the legislative assembly that the highway patrol monitor its actual to planned expenditures and its actual to projected performance measures by program for the biennium beginning July 1, 2001, and ending June 30, 2003. The highway patrol shall make this information available as requested by the appropriations committees of the fifty-eighth legislative assembly."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Dept. 504 - Highway Patrol - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$20,880,143			
Operating expenses	6,214,000			
Equipment	1,285,508			
Capital improvements	50,000			
Grants	5,000,000			
Administration		\$2,164,875		\$2,164,875
Field operations		30,085,704		30,085,704
Law Enforcement Training Academy		962,723		962,723
Total all funds	\$33,243,143	\$33,243,102	\$0	\$33,243,102
Less unexpended income	21,198,242	21,198,242	(13,728,878)	7,429,443
General fund	\$12,083,801	\$12,083,871	\$13,728,878	\$25,811,659
FTE	196.00	196.00	0.00	196.00

##### Dept. 504 - Highway Patrol - Detail of House Changes

	CHANGE FROM SOURCE 1	TOTAL HOUSE CHANGES
Salaries and wages	\$0	\$0
Operating expenses	(13,728,878)	(13,728,878)
Equipment		
Capital improvements		
Grants	\$13,728,878	\$13,728,878
Administration	0.00	0.00
Field operations		
Law Enforcement Training Academy		
Total all funds	\$0	\$0
Less unexpended income	(13,728,878)	(13,728,878)
General fund	\$13,728,878	\$13,728,878
FTE	0.00	0.00

1. This amendment removes funding of \$13,728,878 from the Highway fund and replaces it with \$13,728,878 from the general fund. Related Section 2 is also removed.

A section is added providing that the Highway Patrol monitor its actual to planned expenditures and its actual to projected performance measures for each of its programs during the 2001-03 biennium.

**MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)**  
MPL PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2001: Reps. Byerly, Skarphol; Glassheim  
SB 2002: Reps. Carlisle, Koppelman; Huether  
SB 2008: Reps. Carlisle, B. Thoreson; Glassheim  
SB 2177: Reps. Haas, Hawken; Mueller  
SB 2220: Reps. Koppelman; Delzer; Kerzman  
SB 2328: Reps. Herbel; Renner; Kroeber  
SB 2345: Reps. Nottestad; F. Klein; Hanson

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**  
MPL SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1001: Sens. Kingstad; Schobinger; Tallackson  
HB 1024: Sens. Bowman; Solberg; Tomac  
HB 1197: Sens. Thane; Polenberg; Heikamp

#### REPORT OF CONFERENCE COMMITTEE

HB 1058, as engrossed: Your conference committee (Sens. Cook, Wiazak, Christensen and Reps. Nelson, Bellow, Mueller) recommends that the SENATE RECEDE from the Senate amendments on HJ page 839 and place HB 1058 on the Seventh order.

That the Senate recede from its amendments as printed on page 839 of the House Journal and page 718 of the Senate Journal and that Engrossed House Bill No. 1058 be amended as follows:

Page 1, line 1, replace "creation of a duplicative payment fund and the distribution" with "transfer"

Page 1, line 4, replace "payment fund - Creation" with "payments - Transfer" and after "Distribution" insert "Report to budget section"

Page 1, remove line 5

Page 1, line 6, remove "2."

Page 1, line 8, remove "and if at the time the superintendent receives"

Page 1, remove line 9

Page 1, line 10, remove "section", replace "deposit" with "transfer", and replace "in the duplicative payment" with "to the state tuition"

Page 1, line 11, replace "subsection" with "section"

Page 1, line 12, after the period insert "The superintendent shall report annually to the budget section of the legislative council regarding any transfers under this section."

Page 1, remove lines 13 through 17

Renumber accordingly

Engrossed HB 1058 was placed on the Seventh order of business on the calendar.

#### MOTION

REP. MONSON MOVED that the absent members be excused, which motion prevailed.

#### MOTION

REP. MONSON MOVED that the House be on the Fifth, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned (will 8:30 a.m. Friday, April 6, 2001, which motion prevailed.

The House stood adjourned pursuant to Representative Monson's motion.

MARK L. JOHNSON, Chief Clerk

2001 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2011

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2011

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 12, 2001

Tape Number	Side A	Side B	Meter #
Tape #3	x		0.0 - 7.9
Committee Clerk Signature <i>Donna Pitsch</i>			

Minutes:

Senator Nething opened the Conference Committee meeting on SB2011- Highway Patrol, at 11:00 a.m., on Thursday, April 12th, in the Harvest Room.

Roll Call: Senator Nething, Chair; Senator Kringstad; Senator Tallackson; Representative Timm; Representative Skarphol; and Representative Glassheim in attendance; full committee.

Senator Nething asked that one of the House members review the amendments with fellow members of the committee -- explaining the changes made from the Senate version.

Representative Skarphol: Indicated the House felt it was appropriate to find a new source for funding -- and also had concerns regarding the performance measure.

Representative Timm: Believe the 13.7 Million dollars is the big issue --- need to get the Highway Patrol out of the Highway Distribution funding. First to free up more dollars in general funds for other things. Need to get where all other agencies are regarding the funding source. Need to free up dollars -- for such things as matching dollars-- concerning all this would be a

perfect opportunity to go to the general funds. House reduces other budgets -- felt it was time to get Highway Patrol free from the Highway District Distribution Funding; use those funds for matching.

Senator Nething: Confusing-- some agencies such as the Water Commission -- the House went from general funds to special funds?

Representative Timm: That was the proposal in the governor's budget. The House generally opposes raising fees -- registration. Talk on the House side why raise fees or taxes -- need to be paid by all the citizens in the state.

Senator Nething: You (Representative Timm) and I have differed on funding source before -- there are constituents in my district who do not own a car -- now using sales tax dollars to pay for highway projects. Highway Patrol is part of the highway system -- without the system we wouldn't need so much patrol? Mixed feelings on use of general fund dollars.

Senator Kringstad: Where do the weights and measures fees go?

Senator Nething: Highway fund. Believe it's approximately 38 Million --not constitutionally protected.

Representative Timm: Highway Patrol takes on other responsibilities -- there are smaller towns that need their coverage -- it's a benefit to all the citizens of the state. Responsibilities are not confined to the highways.

Senator Nething: Performance measure: Some question on the language there?

Senator Tallackson: Not much different -- appears okay.

Senator Nething: We know the issues -- will seek outside guidance.

Representative Timm: Settle now?

Page 3

Senate Appropriations Committee

Bill/Resolution Number SB2011

Hearing Date April 12, 2001

Senator Nething: We understand the differences; conference meeting closed until the call of the chair.

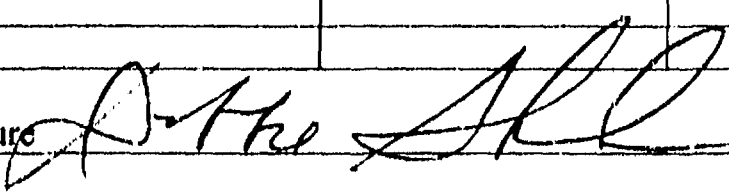
2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2011

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 26, 2001

Tape Number	Side A	Side B	Meter #
2	X		0.0-10.8
Committee Clerk Signature 			

Minutes:

Senator Kringstad called to order the second conference committee on SB 2011, Highway Patrol.

Role call was taken, all member present: Senator Kringstad, Senator Stenehjem, Senator Tallackson, Representative Timm, Representative Skarphol, and Representative Glassheim.

Senator Kringstad: Is there a motion from the House members?

Representative Timm: We want to here proposals from the Senate?

Senator Kringstad: Haven't your members talked on this. To leave the \$7.5 million in the general funds, a difference of \$6.2 million refund to the Highway Patrol.

Representative Timm: That is correct. The question ties into SB 2159. The proposal in SB 2159 is for highway distribution fund to fall short by \$2.3 million and we can't agree with that.

Senator Stenehjem: I understand the \$7.5 million stays out of the Highway Patrol fund with SB 2159, was not a \$2.5 million difference but closer to \$1 million.

Representative Timm: I was told \$2.3 millicen.

Senator Stenehjem: We are holding up on that bill, SB 2159, to see what happens with this bill.

Representative Timm: You have a meeting today at 2:30 on SB 2159, to discuss the distribution of short money. Shouldn't we start there considering the leverage this will have on federal dollars.

Senator Kringstad: The \$2.3 million, still short.

Senator Stenehjem: I heard less than \$1 million or even \$500,000. They do have the ability to borrow from the Bank of ND if they fall short, and no dollars are turned back. We should move on this.

Representative Timm: Our goal is to shift general funds on this bill but we can't do all of it.

Senator Tallackson: We should act on this bill and then see what happens with SB 2159.

Senator Stenehjem: If it is \$2.5 million off it is not satisfactory. But \$1 million is close enough to grab those federal funds with \$6.2 million to the fund for the match.

Senator Kringstad: Is there a motion?

Representative Timm: I move that the House recede to the House amendments and further amend SB 2011 with the amendment.

Allen Knudsen: The \$6.2 million of the highway fund to the Highway Patrol

Representative Timm: I think it is the other way around. We need to amend the Highway Patrol out and fund \$6.2 million to the general fund and transfer \$7.5 million.

Senator Stenehjem: If you look at the bill, page 1, line 14, the \$19,613,659 less the \$6.2 million of highway funds.

Representative Timm: Fund the highway distribution fund with \$7.5 million out of general funds, and fund the Highway Patrol the \$6.2 million.



Page 3

Senate Appropriations Committee

Bill/Resolution Number SB 2011

Hearing Date April 26, 2001

Representative Skarphol: SB 2159 will generate \$7.5 million to highway distribution fund out of the general fund and fund the Highway Patrol \$6.2 million.

Representative Glassheim: There needs to be \$12 million to \$12.2 million from general fund for matching federal funds. We need \$6.2 million and another \$6.2 from general fund to match.

Senator Stenehiem: The dollars in SB 2159, \$12.6 million, move the \$12.6 million into SB 2011, now back to highway fund. The \$25 million minus the \$6.2 million.

Allen Knudsen: The other section has the intent.

Representative Skarphol seconded the motion made by Representative Timm. All members voting 6 yes, 0 no, and no absent. Motion carried.

Meeting adjourned. Tape #2, Side A, meter 10.8.

Date: 4.26.01

Roll Call Vote #: \_\_\_\_\_

**2001 CONFERENCE COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2011**

**CONFERENCE COMMITTEE-Highway Patrol**

Legislative Council Amendment Number 180370203

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
the (Senate/House) amendments of (SJ/HJ) page(s) 204 - 205

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken Adopt Amendments

Motion Made By Senator/Representative Timm Seconded By Senator/Representative Skarphol

Senators	Yes	No	Representative	Yes	No
Senator Kringstad	✓		Representative Timm	✓	
Senator Steneijem	✓		Representative Skarphol	✓	
Senator Tallackson	✓		Representative Glassheim	✓	

Total Yes 6 No 0 Absent 0

**REPORT OF CONFERENCE COMMITTEE**

**SB 2011, as engrossed:** Your conference committee (Sens. Kringstad, Stenehjem, Tallackson and Reps. Timm, Skarphol, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1204-1205, adopt amendments as follows, and place SB 2011 on the Seventh order:

The the House recede from its amendments as printed on pages 1204 and 1205 of the Senate Journal and pages 1337 and 1338 of the House Journal and that Engrossed Senate Bill No. 2011 be amended as follows:

Page 1, line 1, after "patrol" insert "; and to provide a statement of legislative intent"

Page 1, line 12, replace "21,159,321" with "13,629,443"

Page 1, line 13, replace "12,083,781" with "19,613,659"

Page 1, line 15, replace "\$13,729,878" with "\$8,200,000"

Page 2, after line 2, insert:

**"SECTION 4. LEGISLATIVE INTENT - PERFORMANCE MEASURE MONITORING.** It is the intent of the legislative assembly that the highway patrol monitor its actual to planned expenditures and its actual to projected performance measures by program for the biennium beginning July 1, 2001, and ending June 30, 2003. The highway patrol shall make this information available as requested by the appropriations committees of the fifty-eighth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$20,690,143					
Operating expenses	8,218,000					
Equipment	1,285,000					
Capital improvements	50,000					
Grants	5,000,000					
Administration		\$2,164,675		\$2,164,675	\$2,164,675	
Field operations		30,095,704		30,095,704	30,095,704	
Law Enforcement Training Academy		982,723		982,723	982,723	
Total all funds	\$33,243,143	\$33,243,102	\$0	\$33,243,102	\$33,243,102	\$0
Less estimated income	<u>21,159,342</u>	<u>21,159,321</u>	<u>(7,529,878)</u>	<u>13,629,443</u>	<u>7,429,443</u>	<u>6,200,000</u>
General fund	\$12,083,801	\$12,083,781	\$7,529,878	\$19,613,659	\$25,813,659	(\$6,200,000)
FTE	196.00	196.00	0.00	196.00	196.00	0.00

**Dept. 504 - Highway Patrol - Detail of Conference Committee Changes**

	CHANGE FUNDING SOURCE <sup>1</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		

Administration  
Field operations  
Law Enforcement Training  
Academy

Total all funds	\$0	\$0
Less estimated income	<u>(7,529,878)</u>	<u>(7,529,878)</u>
General fund	\$7,529,878	\$7,529,878
FTE	0.00	0.00

<sup>1</sup> Compared to the Senate version (engrossed bill), this amendment reduces funding from the highway fund by \$7,529,878, from \$13,729,878 to \$6,200,000, and replaces it with \$7,529,878 from the general fund. Compared to the House version, this amendment increases funding from the highway fund by \$6,200,000 and reduces general fund support by \$6,200,000.

A section is added providing that the Highway Patrol monitor its actual to planned expenditures and its actual to projected performance measures for each of its programs during the 2001-03 biennium, the same as the House version.

Engrossed SB 2011 was placed on the Seventh order of business on the calendar.

2001 TESTIMONY

SB 2011

**Department 504 - Highway Patrol  
Senate Bill No. 2011**

	FTE Positions	General Fund	Other Funds	Total
2001-03 Executive Budget	196.00	\$12,083,801	\$21,159,342	\$33,243,143
1999-2001 Legislative Appropriations	198.00	9,306,236	15,739,612	25,045,878
Increase (Decrease)	(2.00)	\$2,777,565	\$5,419,700	\$8,197,265

The 1999-2001 appropriation amounts include \$43,231 of other funds for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$657 of other funds for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include \$2,174,000 of additional spending authority resulting from Emergency Commission action during the 1999-2001 biennium.

**Major Items Affecting Highway Patrol 2001-03 Budget**

	General Fund	Other Funds	Total
1. Adds funding to provide for a market equity salary adjustment of \$167.75 per month for the superintendent effective January 1, 2002.	\$1,759	\$1,808	\$3,567
2. Removes 1 FTE vacant motor carrier inspector position in administration.	(\$46,614)	(\$47,900)	(\$94,514)
3. Removes 1 FTE patrol officer in field operations.	(\$35,029)	(\$52,543)	(\$87,572)
4. Provides funding from the highway fund for salary equity adjustments for patrol officers.		\$132,867	\$132,867
5. Increases funding for motor pool costs, \$911,000 of which is from the highway fund and \$64,000 from federal funds.		\$975,000	\$975,000
6. Provides funding from the highway fund for installing an additional 20 mobile data terminals in patrol vehicles. The patrol has to date installed mobile data terminals in 70 of its 132 vehicles from funding provided by the 1997 Legislative Assembly.		\$220,000	\$220,000
7. Adds funding from the highway fund for purchasing a maintenance contract on the mobile data terminals.		\$50,000	\$50,000
8. Increases funding from federal funds for grants.		\$2,521,000	\$2,521,000
9. Increases funding from federal funds for equipment.		\$250,000	\$250,000
10. Increases funding for Information Technology Department services.	\$10,000	\$104,000	\$114,000
11. Increases the general fund support for the Highway Patrol and decreases funding provided from the highway fund.	\$2,500,000	(\$2,500,000)	\$0

**Major Legislation Affecting the Highway Patrol**

House Bill No. 1026 (the deficiency appropriations bill) includes a \$200,000 general fund appropriation to the Highway Patrol for paying additional motor pool costs during the 1999-2001 biennium. The additional motor pool costs relate to higher than anticipated gasoline prices.

**Department 504 - Highway Patrol  
Senate Bill No. 2011**

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	196.00	\$12,083,801	\$21,159,342	\$33,243,143
1999-2001 Legislative Appropriations	198.00	9,306,236	15,739,642	25,045,878 <sup>1</sup>
Increase (Decrease)	(2.00)	\$2,777,565	\$5,419,700	\$8,197,265

2001-03 Hoeven Executive Budget	196.00	\$12,083,801	\$21,159,342	\$33,243,143
Hoeven Increase (Decrease) to Schafer	0.00	\$0	\$0	\$0

<sup>1</sup>The 1999-2001 appropriation amounts include \$43,231 of other funds for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$657 of other funds for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include \$2,174,000 of additional spending authority resulting from Emergency Commission action during the 1999-2001 biennium.

**Major Schafer Recommendations Affecting Highway Patrol 2001-03 Budget**

	General Fund	Other Funds	Total
1. Adds funding to provide for a market equity salary adjustment of \$167.75 per month for the superintendent effective January 1, 2002.	\$1,759	\$1,808	\$3,567
2. Removes 1 FTE vacant motor carrier inspector position in administration.	(\$46,614)	(\$47,900)	(\$94,514)
3. Removes 1 FTE patrol officer in field operations.	(\$35,029)	(\$52,543)	(\$87,572)
4. Provides funding from the highway fund for salary equity adjustments for patrol officers.		\$132,867	\$132,867
5. Increases funding for motor pool costs, \$911,000 of which is from the highway fund and \$64,000 from federal funds.		\$975,000	\$975,000
6. Provides funding from the highway fund for installing an additional 20 mobile data terminals in patrol vehicles. The patrol has to date installed mobile data terminals in 70 of its 132 vehicles from funding provided by the 1997 Legislative Assembly.		\$220,000	\$220,000
7. Adds funding from the highway fund for purchasing a maintenance contract on the mobile data terminals.		\$50,000	\$50,000
8. Increases funding from federal funds for grants.		\$2,521,000	\$2,521,000
9. Increases funding from federal funds for equipment.		\$250,000	\$250,000
10. Increases funding for Information Technology Department services.	\$10,000	\$104,000	\$114,000
11. Increases the general fund support for the Highway Patrol and decreases funding provided from the highway fund.	\$2,500,000	(\$2,500,000)	\$0

**Major Hoeven Recommendations Affecting Highway Patrol 2001-03 Budget  
Compared to the Bill as Introduced (Schafer Budget)**

The Hoeven executive recommendation does not change the Schafer executive budget recommendation for this agency.

**Major Legislation Affecting the Highway Patrol**

House Bill No. 1026 (the deficiency appropriations bill) includes a \$200,000 general fund appropriation to the Highway Patrol for paying additional motor pool costs during the 1999-2001 biennium. The additional motor pool costs relate to higher than anticipated gasoline prices.

Department 504 - Highway Patrol  
Senate Bill No. 2011

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	196.00	\$12,083,801	\$21,159,342	\$33,243,143
1999-2001 Legislative Appropriations	198.00	9,306,236	15,739,642	25,045,878 <sup>1</sup>
Increase (Decrease)	(2.00)	\$2,777,565	\$5,419,700	\$8,197,265

2001-03 Hoeven Executive Budget	196.00	\$12,083,801	\$21,159,342	\$33,243,143
Hoeven Increase (Decrease) to Schafer	0.00	\$0	\$0	\$0

<sup>1</sup> The 1999-2001 appropriation amounts include \$43,231 of other funds for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$657 of other funds for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include \$2,174,000 of additional spending authority resulting from Emergency Commission action during the 1999-2001 biennium.

Major Schafer Recommendations Affecting Highway Patrol 2001-03 Budget

	General Fund	Other Funds	Total
1. Adds funding to provide for a market equity salary adjustment of \$167.75 per month for the superintendent effective January 1, 2002. The Senate reduced this amount by \$41, of which \$20 is from the general fund to provide the funding necessary for this increase.	\$1,759	\$1,808	\$3,567
2. Removes 1 FTE vacant motor carrier inspector position in administration.	(\$46,614)	(\$47,900)	(\$94,514)
3. Removes 1 FTE patrol officer in field operations.	(\$35,029)	(\$52,543)	(\$87,572)
4. Provides funding from the highway fund for salary equity adjustments for patrol officers.		\$132,867	\$132,867
5. Increases funding for motor pool costs, \$911,000 of which is from the highway fund and \$64,000 from federal funds.		\$975,000	\$975,000
6. Provides funding from the highway fund for installing an additional 20 mobile data terminals in patrol vehicles. The patrol has to date installed mobile data terminals in 70 of its 132 vehicles from funding provided by the 1997 Legislative Assembly.		\$220,000	\$220,000
7. Adds funding from the highway fund for purchasing a maintenance contract on the mobile data terminals.		\$50,000	\$50,000
8. Increases funding from federal funds for grants.		\$4,518,000	\$4,518,000
9. Increases funding from federal funds for equipment.		\$250,000	\$250,000
10. Increases funding for Information Technology Department services.	\$10,000	\$104,000	\$114,000
11. Increases the general fund support for the Highway Patrol and decreases funding provided from the highway fund.	\$2,500,000	(\$2,500,000)	\$0

Major Hoeven Recommendations Affecting Highway Patrol 2001-03 Budget  
Compared to the Bill as Introduced (Schafer Budget)

The Hoeven executive recommendation does not change the Schafer executive budget recommendation for this agency.



### **Major Legislation Affecting the Highway Patrol**

House Bill No. 1026 (the deficiency appropriations bill) includes a \$200,000 general fund appropriation to the Highway Patrol for paying additional motor pool costs during the 1999-2001 biennium. The additional motor pool costs relate to higher than anticipated gasoline prices.

### **Summary of Legislative Changes Resulting From First House Action**

See Statement of Purpose of Amendment (attached).

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2011 - Funding Summary**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Highway Patrol			
Salaries and wages	\$20,690,143	(\$20,690,143)	
Operating expenses	6,218,000	(6,218,000)	
Equipment	1,285,000	(1,285,000)	
Capital improvements	50,000	(50,000)	
Grants	5,000,000	(5,000,000)	
Administration		2,164,675	2,164,675
Field operations		30,095,704	30,095,704
Law enforcement training academy		982,723	982,723
Total all funds	\$33,243,143	(\$41)	\$33,243,102
Less estimated income	21,159,342	(21)	21,159,321
General fund	\$12,083,801	(\$20)	\$12,083,781
FTE	196.00	0.00	196.00
Bill Total			
Total all funds	\$33,243,143	(\$41)	\$33,243,102
Less estimated income	21,159,342	(21)	21,159,321
General fund	\$12,083,801	(\$20)	\$12,083,781
FTE	196.00	0.00	196.00

**Senate Bill No. 2011 - Highway Patrol - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$20,690,143	(\$20,690,143)	
Operating expenses	6,218,000	(6,218,000)	
Equipment	1,285,000	(1,285,000)	
Capital improvements	50,000	(50,000)	
Grants	5,000,000	(5,000,000)	
Administration		2,164,675	2,164,675
Field operations		30,095,704	30,095,704
Law enforcement training academy		982,723	982,723
Total all funds	\$33,243,143	(\$41)	\$33,243,102
Less estimated income	21,159,342	(21)	21,159,321
General fund	\$12,083,801	(\$20)	\$12,083,781
FTE	196.00	0.00	196.00

## Department No. 504 - Highway Patrol - Detail of Senate Changes

	Provide Program Appropriations	Adjust Market Equity Salary Increase <sup>1</sup>	Total Senate Changes
Salaries and wages	(\$20,690,143)		(\$20,690,143)
Operating expenses	(6,218,000)		(6,218,000)
Equipment	(1,285,000)		(1,285,000)
Capital improvements	(50,000)		(50,000)
Grants	(5,000,000)		(5,000,000)
Administration	2,164,716	(41)	2,164,675
Field operations	30,095,704		30,095,704
Law enforcement training academy	982,723		982,723
Total all funds	\$0	(\$41)	(\$41)
Less estimated income	0	(21)	(21)
General fund	\$0	(\$20)	(\$20)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment reduces, from \$3,567 to \$3,526, the amount provided for a market equity salary increase for the superintendent. The amount included in the bill will provide for a monthly increase of \$167.75 and related fringe benefits for the last 18 months of the biennium.

JD 2011

## **Senate Bill 2011 -- NDHP Appropriations**

**Submitted by**

**Colonel James M. Hughes, Superintendent**

### **INTRODUCTION**

Good afternoon Mr. Chairman and members of the Senate Appropriations Committee. I can't begin to tell you how proud and grateful I am to be standing here in this room with you, wearing this uniform, representing this outfit, the North Dakota Highway Patrol.

To this day, I still remember the first time I walked into this room -- very nervous, unsure of what to expect, palms sweating, wondering whether or not I was up to the task. That was eight years ago.

Most all of you were here that day and from that first moment you, especially you Mr. Chairman, made me feel that everything was going to be alright and it has been.

Whatever the outcome of this budgeting process, I truly believe that much of my success, and certainly the success of our department, is due in part to each of you.

I felt it back then and I feel it now that each of you takes particular pride in your State Highway Patrol. Your personal knowledge and many of your personal ride alongs and experiences with our officers creates a special bond to this uniform.

I value what I see as a unique arrangement and I also feel the major contribution I've made to our success is my record with you as it relates to unquestionable honesty, integrity, and most importantly the trust you've shown me as this department's leader. I thank you for your confidence, your trust, your support, and your guidance.

Other superintendents across this country only wish or dream of the relationship I have and enjoy with you -- that's North Dakota for ya!

To continue I would like now to highlight our areas of responsibility and update you on how we are doing.

### **RESPONSIBILITY**

#### **Traffic Accident Prevention -- The first responsibility of the field division.**

Our goal is to reduce the number of traffic accidents by patrolling the highways, enforcing traffic laws, providing public awareness and education, and working closely with other agencies and safety organizations. To do this requires training and equipping officers to investigate traffic crashes, provide medical assistance to the injured, and analyzing crash information and applying it to crash prevention.

*During 2000, North Dakota recorded 85 fatalities in 79 fatal crashes. This is a decrease of 34 fatalities from the 119 (92 fatal crashes) recorded in 1999. Alcohol was a factor in 35 of the crashes and 85 percent of the fatal crash victims were not restrained.*

The department is structured into eight districts which are responsible for a geographic portion of the state for accident prevention and traffic law enforcement. This past year we went from five commanders for the districts to eight. This was done to bring the department closer to the people we serve. This provides for a better understanding of local concerns and insures that local issues are addressed in the areas where they occur.

#### **Capitol Security – Security for the Governor and Legislature when in session**

This function provides a safe environment for the *executive, legislative, and judicial* bodies of state government.

There are two troopers dedicated full time to provide security for the Governor and all employees working at the capitol. Additional troopers are assigned as needed for special events to insure the welfare of both officials and the public.

#### **Motor Carrier Division – Permit Section, Size and Weight, and MCSAP**

This division includes the permit section, the Motor Carrier Safety Assistance Program, and *eight weigh/inspection stations.*

In federal fiscal year 2000, the department collected \$369,282 in overweight fees of which troopers collected 81 percent; this is significant considering the troopers weighed only 45 percent of all overweight vehicles. The North Dakota Highway Patrol issued 18,779 permits generating a revenue of \$1,803,228 which was transferred directly to the Department of Transportation:

The Highway Patrol projected 16,000 inspections in the Motor Carrier Safety Assistance Program for federal fiscal year 2000 and exceeded that goal by completing 19,585 inspections.

#### **TRAFFIC SAFETY**

Education and enforcement is an effective combination in the area of traffic safety. The North Dakota Highway Patrol is committed to accident reduction. Education plays a vital role in the reduction of traffic crashes and the loss of life. *During this past year, North Dakota recorded 85 traffic fatalities. This tied 1996 for the third lowest number of traffic fatalities since 1945.* Traffic safety initiatives targeting seat belt usage, impaired driving, underage drinking, and other traffic safety issues contributing to the occurrence of traffic crashes and the loss of life were implemented during the year. Many of these involved partnering with other traffic safety organizations along with city and county law enforcement agencies. It's due to these programs and the cooperation of the motoring public that lives were saved.

### **Sobriety Checkpoints**

On May 12, 2000, the North Dakota Highway Patrol took a giant step towards improving the safety of motorists traveling the many highways of North Dakota. This date marked the first ever sobriety checkpoint involving the Highway Patrol. This checkpoint in Grand Forks and the eight that followed plowed new ground in our educational and enforcement efforts to reduce impaired driving and save precious lives. *Public support was foremost in making the decision to implement sobriety checkpoints.* Drivers passing through the checkpoints were provided an informational brochure on sobriety checkpoints and a survey card. They were asked to complete and return the survey card along with their comments and suggestions on how to prevent impaired driving. *Of those survey cards returned, approximately 90 percent of the drivers supported use of sobriety checkpoints.* The news media played a vital role in the success of the checkpoints. It was with their assistance in publicizing the checkpoints that the desired deterrent effect could be reached. Deterring someone from drinking and then driving is a major goal of the checkpoints. Two drivers were arrested for driving under the influence of alcohol during the nine checkpoints. Sobriety checkpoints will play an important role in the year 2001 educational and enforcement efforts to deter impaired driving. I believe once again that it's not what you do but how you do it that gains the public's confidence.

### **"Freedom To Choose"**

"Freedom To Choose" is a six-projector, computer-synchronized, multi-image presentation developed in the summer of 2000. With the addition of a large amplifier and a sub-woofer, it is an exciting and thought-provoking show dealing with underage drinking, drinking and driving, peer pressure, and the challenges presented to junior and senior high students to make the right choices. Like other presentations before, this will be presented to the majority of junior and senior high students in North Dakota over the next few years.

During 2000, the North Dakota Highway Patrol participated in many community policing activities. Traffic safety presentations were given to school children, civic groups, private businesses, and government agencies. The Patrol was represented through safety booths at major events such as the North Dakota State Fair, Winter Show, and Big Iron as well as at local shopping malls and other community events.

## **TRAINING**

### **Authority**

Section 39-03-13.1 NDCC states that the superintendent of the Highway Patrol is responsible for the operation, maintenance, and administration of the law enforcement training center.

**Increased Training Hours:** Total officer hours of training through December 31, 2000, was 96,454, an increase of 5 percent over the first 18 months of the previous biennium. This comparison is based on the same period in the 97/98 biennium.

**Additional Utilization:** Additional administrative meetings, training, and associated training activities include:

- ◆ Motor carrier
- ◆ Staff meetings
- ◆ CPR training
- ◆ EMT training and testing
- ◆ District meetings
- ◆ Law enforcement executive meetings
- ◆ Attorney General Gaming Department training
- ◆ Central Personnel
- ◆ Army Reserve
- ◆ National Guard
- ◆ Several other specialized management sessions by various state agencies

These activities accounted for an additional 21,782 man-hours of facility utilization.

**Community Involvement:** The multi-purpose room, completed in 1997, has benefited law enforcement and the communities in the state of North Dakota. As part of the NDHP's community policing efforts, the multi-purpose room is made available for youth activities after normal classroom hours and on weekends. Combining youth activities with that of local schools and colleges the facility was used 236 times in the last 18 months for community activities, a 75 percent increase over the same 18-month period in the last biennium.

## TECHNOLOGY

The State Mobile Data Communications System became fully operational just prior to July 1, 1999. The system currently consists of:

- 10 state tower sites equipped with data radio base stations
- 70 Highway Patrol vehicles equipped with laptop computers, radio modems, and printers
- Software for access to several different records systems including:
  - Motor vehicle and drivers license data
  - National wanted person and stolen vehicle data
  - Daily activity reports and other officer reporting documents
- Benefits provided by this system include:
  - Increased officer safety
  - Reduced costs of report preparation and data handling
  - Maximized officer time on the highways
  - Reduced State Radio workload

With the Phase II expansion that includes 5 additional tower sites equipped with data radio base stations, the Highway Patrol plans on equipping 20 additional Highway Patrol vehicles. The system's hub is already in place allowing for a cost-effective expansion.

Phase II will provide for increased coverage with progress towards statewide access for the broader community of public safety users. In addition to the Patrol, approximately 400 local law enforcement personnel are already using the system.

We have expanded from two to eight, the number of laser crash mapping systems in the Highway Patrol. This provides for more efficient measuring and diagramming of crash scenes and results in a better product for presentation in criminal and civil trials. Our accident reconstructionists also provide much needed assistance to local and county law enforcement agencies throughout North Dakota.

This appropriation request will also provide spending authority for federal funds to purchase approximately 50 in-car videos. This will provide for in-car video in nearly all Highway Patrol vehicles. The use of in-car video has proved beneficial in providing evidence as to what happened at the time of an arrest, protecting officers against false allegations, ensuring officers follow correct procedures, and protecting the rights of the public.

## **RESPONSIVENESS**

Regardless of the situation the Patrol is involved with, I feel it costs little to offer a measure of comfort and reassurance to the public.

*During the first 15 months of this biennium, the Highway Patrol has provided over 173,000 hours of patrolling highways while traveling more than 3,700,000 miles. We assisted more than 15,000 motorists and logged 1,700 assists to other governmental agencies. Troopers responded to 8,000 calls for service, investigated more than 4,700 crashes and spent more than 12,000 hours on community policing activities.*

Our most recent annual report (1999) describes circumstances in which our three trooper/canine units responded to requests from 30 different agencies in the state. Requests varied from looking for burglary suspects and narcotics searches to searching for a lost child.

## **FLEXIBILITY**

Unexpected situations occasionally arise requiring our agency to maintain flexibility to address safety issues. A common situation this time of year is the need to close hundreds of miles of roadways due to blocked overpasses on our Interstate system. You will commonly hear "no travel" advisories issued by the National Weather Service, requiring troopers to travel these roadways in search of stranded motorists.

A major weather incident in northeast North Dakota last June resulted in rainfall amounts of 16-20 inches in a two-day period flooding fields and roadways in the Larimore, Gilby, and southern Nelson County areas. Highway 18 north of Larimore remained closed for approximately one week. Many secondary roads remained closed for an extended time. Adding to the tragic situation already experienced by local residents was the death of four individuals in traffic crashes near Larimore during this same time.



It was also during our current biennium that a nationwide search was conducted for escaped prisoner Kyle Bell. Over a three-month period, substantial time was committed to a multi-jurisdictional task force established in Bismarck to process information and set leads regarding the Bell case. The long days and weeks, many phone calls, media contacts, and cooperative effort of many agencies resulted in the successful recapture of Kyle Bell one year ago this week – January 9, 2000.

## DIVERSITY

The men and women of the North Dakota Highway Patrol strive to provide the citizens of North Dakota with the most professional service possible. Currently, the Highway Patrol consists of 132 sworn officers, 37 motor carrier inspectors, and 27 support staff. Educating and training our employees to do the best job possible is a priority.

The most visible employees of the Highway Patrol are our troopers. A Highway Patrol trooper is expected to make instant decisions every day dealing with a wide array of situations. To this end, we will continue to recruit and select the most qualified candidates.

Applicants for the Highway Patrol must have a Bachelor's degree or Associate degree with two years' work-related experience. The minimum educational requirement is one of the most stringent in the nation compared to other state police/patrol agencies. *We were in the top 4 percent* in a recent survey of 45 state police/patrol agencies. 62 percent of our sworn officers have a bachelor's degree and 23 percent have an associate degree.

As is happening with other law enforcement agencies around the country, the number of applicants for the Highway Patrol is down compared to other years. In the selection process in 2000, we had 103 individuals apply and we tested 67 applicants for eight trooper positions. We were fortunate to find good quality candidates for the Highway Patrol. We have eight recruits currently attending the Highway Patrol Academy – seven males and one female. All of the new recruits were North Dakota residents or currently working in North Dakota.

*Since January 1, 1995, we have hired 52 troopers.* This is out of 96 trooper positions in the North Dakota Highway Patrol. The average age of our sworn officers is 38 years old with 12.3 years of service. Of 132 sworn officers we have 7 female, 3 Hispanic, and 2 Native American officers.

## PROFESSIONALISM

*The North Dakota Highway Patrol is one of 15 state police and highway patrol agencies that are accredited in the United States.* In addition, the Bismarck Police Department is the only other accredited law enforcement agency in the state of North Dakota. The Commission on Accreditation for Law Enforcement Agencies (CALEA) was established in 1979 to administer the process so law enforcement agencies could demonstrate voluntarily that they meet professionally recognized criteria for excellence in

management and service delivery. The accreditation process covers all aspects of law enforcement and insures that all policies and procedures reflect the latest professional standards in law enforcement.

Last year CALEA assessors traveled throughout the state inspecting agency files, interviewing department personnel, and taking phone calls from our citizens. The team of assessors was unanimous in their opinion that the North Dakota Highway Patrol should be re-accredited. Some of the comments they made were: all contacts were positive and employees were enthusiastic and had professional attitudes. *The one statement the assessors made that shows our professionalism and commitment to the citizens, and I quote "it is evident that the individual troopers and civilian staff are committed to serving the citizens of North Dakota."* At the commission hearing in July, the commissioners who were responsible for reviewing the assessors' report were extremely impressed with the professionalism of the department and our commitment to providing the best service we can to the citizens of North Dakota. The commission then unanimously awarded the North Dakota Highway Patrol accredited status at their July meeting.

## TRADITION

Since its inception in 1935, the North Dakota Highway Patrol began building a reputation of professionalism, quality service, trustworthiness, and dependability. Over the past 66 years this reputation has been built on the spirit of teamwork from the first 5 officers in 1935 and all those that have followed to the current 132 officers, motor carrier inspectors, and support staff. The attitude of working together striving to provide the highest quality of service to the citizens of North Dakota for 66 years is what tradition is all about. From the smallest task of merely providing someone with directions to delivering a death message to a family member about a loved one killed in a traffic crash – our best effort is put forth. Over these years citizens have come to expect this type of service and professionalism from the North Dakota Highway Patrol. We are committed to upholding this tradition and serving the citizens of North Dakota with pride and professionalism in the future.

Public safety is as much a feeling of being safe and having confidence in our law enforcement officers. I believe the people of North Dakota have a good feeling and great confidence in the North Dakota Highway Patrol.

## BUDGET SUMMARY

The NDHP's 01-03 biennium budget request provides for:

- Eight field districts
- LETA – Law Enforcement Training Academy
- Eight weigh/inspection facilities
- 196 FTEs (2 less than the 99-01 budget)
  - 131 officers
  - 38 weigh/inspection employees

- 27 civilian support staff

**Anticipated results:**

- 302,000 hours of road patrol
- 6.9 million miles of road patrol
- 1,800,000 vehicles examined for weight/size enforcement
- 8,000 accident investigations
- 25,000 highway assists to motorists
- 39,000 motor carrier vehicle inspections
- Approximately \$5 million in highway user fee collections for the state of North Dakota
- 138,000 officer hours of training at the LETA
- 24,000 hours of community policing
- The NDHP continues to experience an increased demand for services
- Mobile data system to decrease administrative time and increase road patrol time

**CONCLUSION**

I believe the North Dakota Highway Patrol is unique to state government in many ways:

1. We are a uniformed agency.
2. We drive distinctive marked vehicles, each identifying individual officers by license plate number identical to their badge number.

These two factors remove the anonymity others may have and also maintains a high level of accountability to those they serve. That may be instant applause when those we serve are happy, but also instant accessibility when things don't go as planned.

3. We are always open for business 24 hours a day 365 days a year
  - With toll free numbers, both landline and cellular
  - Night/day and never close down for bad weather
4. Our risks are high, our liability is awesome, we make split decisions, work odd hours, and need to work extra hard on keeping our health risk low.
5. We are basically an "on the front line" agency carrying out a mission in unpredictable situations. This requires a great deal of common sense, the best professional judgment, and most of all flexibility.

The uncontrolled variables are ever present and oftentimes the best laid plans are altered by unforeseen events.

But all in all, this is a great job, with so many rewards, and one we all chose because we really wanted to be troopers – a profession made so much better because you provide us with good equipment, excellent training, great support, and good benefits for us and our families, and I thank you for that.

In closing, I would like to add that our ability to respond, be flexible, adapt quickly to unforeseen situations and apply resources to where they are needed in a responsible, effective, efficient, and timely manner is critical for this department. For example state flooding, blizzards, road closures, and most recently gas prices.

Although this budget has been prepared on a line item basis, I want you to know the performance based budget system worked especially well for us and we will continue with our performance measures of inputs and outputs so that each person in the department knows how they fit in and what our goals are. This works well for managers and line officers.

I will close with a story I recently read from a book titled *Lincoln on Leadership*, by Donald T. Phillips.

Effective leaders are "reliable and tirelessly persistent" and they are the most results-oriented people in the world. Certainly, Lincoln would fit into that mold. He created a contagious enthusiasm among followers by demonstrating a sense of urgency toward attainment of his goals. He wanted them all to be like the dog in one of his favorite anecdotes:

A man...had a small bull-terrier that could whip all the dogs in the neighborhood. The owner of a large dog which the terrier had whipped asked the owner of the terrier how it happened that the terrier whipped every dog he encountered. "That," said the owner of the terrier, "is no mystery to me; your dog and other dogs get half through a fight before they are ready; now, my dog is always mad!"

Keep a fire lit under employees. Continually motivate, cajole, and persuade. But no one should have to worry about lighting a fire under leaders.

Thank you, Mr. Chairman. I would be happy to answer any questions you have at this time.

SB 2011

## **Associated General Contractors of North Dakota**



**Curt Peterson**  
**Executive Vice President**

**422 North 2nd Street, Box 1624, Bismarck, North Dakota 58502 • Phone: 701-223-2770 • FAX: 701-223-6719**

**Chairman Nething, members of the committee –**

**My name is Curt Peterson and I represent the Associated General Contractors of North Dakota. This is not the first time I have appeared on this particular legislation, but I'm hoping it will be the last.**

**The issue at hand here is that SB2011 proposes to transfer \$13,729,899.00 from the highway fund to the North Dakota Highway Patrol.**

**It is our understanding that the State of North Dakota will need to provide approximately \$13M more than what was required last year to match the proposed increase in federal highway funds. It is assumed that the only way to do this is to raise additional user fees of some kind. It is also our opinion that the highway patrol ought to be funded by the state general fund in total.**

**I have also provided the committee with a copy of Article 10 found in Section 11 of the North Dakota Constitution which clearly defines and mandates that the Highway revenues are to be utilized and appropriated solely for construction, re-construction, repair and maintenance of public highways.**

**In addition to the mandate set in Article 10, it would be a huge stretch to believe that the State Highway Patrol has any responsibility for any of the purposes identified in the constitution.**

**BUILD WITH THE BEST**

I therefore request that this committee not accept this proposal and find other means of funding the Highway Patrol.

Thank you for this opportunity to discuss this matter with you and I would attempt to respond to any questions you may have.

58 2011

**Section 8.** The legislative assembly shall pass all laws necessary to carry out the provisions of this article.

**Section 9.** The legislative assembly may provide for the levy of a tax upon lands within the state for the purpose of creating a fund to insure the owners of growing crops against losses by hail. The legislative assembly may classify lands within the state, and divide the state into districts on such basis as shall seem just and necessary, and may vary the tax rates in such districts in accordance with the risk, in order to secure an equitable distribution of the burden of the tax among the owners of such lands.

**Section 10.**


1. Upon the adoption of this amendment to the Constitution of the State of North Dakota there shall be annually levied by the state of North Dakota one mill upon all of the taxable property within the state of North Dakota which, when collected, shall be covered into the state treasury of the state of North Dakota and placed to the credit of the North Dakota state medical center at the university of North Dakota; said fund shall be expended as the legislature shall direct for the development and maintenance necessary to the efficient operation of the said North Dakota state medical center.
2. This amendment shall be self-executing, but legislation may be enacted to facilitate its operation.

**Section 11.** Revenue from gasoline and other motor fuel excise and license taxation, motor vehicle registration and license taxes, except revenue from aviation gasoline and unclaimed aviation motor fuel refunds and other aviation motor fuel excise and license taxation used by aircraft, after deduction of cost of administration and collection authorized by legislative appropriation only, and statutory refunds, shall be appropriated and used solely for construction, reconstruction, repair and maintenance of public highways, and the payment of obligations incurred in the construction, reconstruction, repair and maintenance of public highways.


**Section 12.**


1. All public moneys, from whatever source derived, shall be paid over monthly by the public official, employee, agent, director, manager, board, bureau, or institution of the state receiving the same, to the state treasurer, and deposited by him to the credit of the state, and shall be paid out and disbursed only pursuant to appropriation first made by the legislature; provided, however, that there is hereby appropriated the necessary funds required in the financial transactions of the Bank of North Dakota, and required for the payment of losses, duly approved, payable from the state hail insurance fund, state bonding fund, and state fire and tornado fund, and required for the payment of compensation to injured employees or death claims, duly approved, payable from the workmen's compensation fund, and required for authorized investments made by the board of university and school lands, and required for the financial operations of the state mill and elevator association, and required for the payment of interest and principal of bonds and other fixed obligations of the state, and required for payments required by law to be paid to beneficiaries of the teachers' insurance and retirement fund, and required for refunds made under the provisions of the Retail Sales Tax Act, and the State Income Tax Law, and the State Gasoline Tax Law, and the Estate and Succession Tax Law, and the income of any state institution derived from permanent trust funds, and the funds allocated under the law to the state highway department and the various counties for the construction, reconstruction, and maintenance of public roads.

This constitutional amendment shall not be construed to apply to fees and moneys received in connection with the licensing and organization of physicians and surgeons, pharmacists, dentists, osteopaths, optometrists, embalmers, barbers, lawyers, veterinarians, nurses, chiropractors, accountants, architects, hairdressers,


 **North Dakota Highway Patrol**


Senate Bill No. 2011  
Highway Patrol Appropriation  
January 11, 2001

 **RESPONSIBILITY**




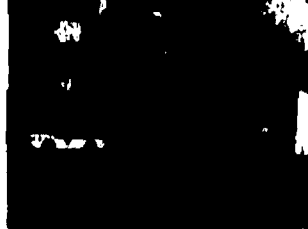
- Traffic Accident Prevention
- Capitol Security
- Motor Carrier Division

 **TRAFFIC SAFETY**





- Education
- Sobriety Checkpoints
- Freedom to Choose

 **TRAINING**





- Authority
- Training Hours
- Utilization
- Community

 **TECHNOLOGY**



- Mobile Data
- Laser Crash Mapping
- In-car Video

 **RESPONSIVENESS**



- Reassurance
- Motorist Assists
- Calls for Service
- Searches



## FLEXIBILITY



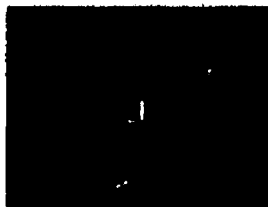
- Road Closures
- Floods
- Kyle Bell

## DIVERSITY



- Education
- Selection
- Female
- Minority

## PROFESSIONALISM



- Accreditation
- Standard Policies
- Standard Procedures
- Re-accredited "2000"

## TRADITION



- 1935
- Reputation
- Teamwork
- 66 Years
- Pride

## BUDGET SUMMARY



- 8 Field Districts
- LETA
- Eight Weigh Stations
- 196 FTE's
- Anticipated Results

## CONCLUSION



- Flexibility
- Pride
- Tradition
- Public Service
- Quality
- Professionalism
- Integrity

March 2001

SB2011  
3-12-01**PERFORMANCE BUDGETING - HISTORY****1993-94 INTERIM**

The 1993-94 Interim Budget Section requested that the Office of Management and Budget ask all agencies and institutions to include, to the extent possible, service efforts and accomplishments in the 1995-97 budget request forms and to use this information to support the executive budget. The Office of Management and Budget developed a pilot project to incorporate service efforts and accomplishments into the budgeting process. The Office of Management and Budget chose the 14 agencies listed below to be involved in the program-based performance budgeting pilot project for the 1995-97 biennium.

1. Office of Management and Budget.
2. Information Services Division.
3. State Auditor.
4. Central Services Division.
5. Board of University and School Lands.
6. Department of Human Services - Aging Services - Vocational Rehabilitation.
7. Insurance Department.
8. Securities Commissioner.
9. Highway Patrol.
10. Department of Corrections and Rehabilitation - Parole and Probation.
11. Department of Economic Development and Finance.
12. Department of Tourism.
13. Parks and Recreation Department.
14. Department of Transportation.

Budget requests of these pilot agencies included information in support of meeting statewide and agency goals, objectives, and strategies. Under each major program of the agency, goals, objectives, and strategies are listed as well as the description and justification of the strategy and performance measures, including outcome, output, efficiency, effectiveness, and explanatory measures. The appropriation bills for these agencies included program line items rather than object code line items.

**1995 LEGISLATIVE ASSEMBLY**

The 1995 Legislative Assembly chose to appropriate funds on a program basis for 9 of the 14 pilot agencies as follows:

1. Office of Management and Budget.
2. Information Services Division.
3. State Auditor.
4. Central Services Division.
5. Board of University and School Lands.
6. Highway Patrol.

7. Department of Corrections and Rehabilitation - Parole and Probation.
8. Parks and Recreation Department.
9. Department of Transportation.

The remaining five agencies received object code line item appropriations but were expected to continue to monitor and strive to achieve their performance measure goals and objectives. These agencies include:

1. Department of Human Services - Aging Services - Vocational Rehabilitation.
2. Insurance Department.
3. Securities Commissioner.
4. Department of Economic Development and Finance.
5. Department of Tourism.

**1995-96 INTERIM**

The section below was included in 1995 Senate Bill No. 2015 providing intent for the performance budgeting pilot project.

**SECTION 9. INTENT - PROGRAM-BASED PERFORMANCE BUDGETING.**

It is the intent of the fifty-fourth legislative assembly that the office of management and budget continue the 12 agency program-based performance budgeting pilot project through the 1997-99 biennium. Periodic reports shall be made to the budget section during the 1995-97 biennium of actual to planned expenditures by program and comparisons of planned to actual outcome, output, and efficiency and effectiveness measures. The budget section shall make a recommendation to the fifty-fifth legislative assembly regarding the continuance or expansion of program-based performance budgeting.

The 1995-96 Interim Budget Section reviewed reports on the pilot project and asked the Office of Management and Budget to continue to work with only the nine agencies in the development of the 1997-99 biennium budget requests and executive recommendation and that those agencies be subject to program reviews. In addition, the Budget Section asked that the appropriation bills for the 1997 Legislative Assembly for the agencies with program line items include a separate section identifying the amounts for salaries and wages, operating expenses, equipment, and grants for each agency.

**1997 LEGISLATIVE ASSEMBLY**

The 1997 Legislative Assembly continued the program line item appropriations for the nine pilot agencies and object code line item appropriations for the remaining five agencies but did not include a section providing for reporting of the agencies performance measures.

**1999 LEGISLATIVE ASSEMBLY**

The 1999 Legislative Assembly, in Senate Bill No. 2015, provided that the Office of Management and Budget discontinue the program-based performance budgeting pilot project when preparing the 2001-03 executive budget.

As of crossover, the following agencies that were involved in the performance budgeting pilot project have program-based line items in their appropriations bill:

1. Highway Patrol.
2. Department of Corrections and Rehabilitation - Adult services.

Although the appropriations bills for these agencies contain program line items, the detailed budget information identifies the amounts provided for each program by object code (salaries and wages, operating expenses, etc.).

# PROGRAM REQUEST

804 HIGHWAY PATROL

Version: 1999-0504-B-01

Page: 1 of 3  
Date: 12/04/1999  
Time: 9:41:29

## Program: FIELD OPERATIONS

Reporting Level: 00-504-300-00-00-00

Program No: 01

Priority: 1

Objective: 01 Reduce fatalities, injuries and economic loss by containing traffic accident rate

Code	Indicator	Actual 1997	Estimated 1998	Estimated 1999	Requested 1999-2001
<b>Outcome Measures</b>					
101	Decrease traffic accident rate per 100 million miles	(.12)	2	.02	.03
102	Decrease traffic fatality rate per 100 million miles	(.35)	(.04)	.02	.03
<b>Effectiveness and Other Measures</b>					
201	Traffic accident rate per 100 million miles	254.9	204.09	200.	194.
202	Traffic fatality rate per 100 million miles	1.39	1.44	1.41	1.37

## PROGRAM DESCRIPTION AND JUSTIFICATION

NDCC 39-03 requires the NDHP to patrol rural highways and cooperate with other state and local law enforcement agencies to enforce the laws relating to the operation of motor vehicles and the use of rural highways.

## INTERPRETIVE DATA

Data for traffic and fatality rates is obtained from the ND Department of Transportation (NDDOT). A negative percentage change in an outcome measure represents an increase in the rate compiled.

## COMPARATIVE DATA

The following data indicates how North Dakota's calendar 1998 fatality rate of 1.28 deaths per 100 million miles traveled compares to the national and regional rates (the latest comparative data available is for calendar year 1998): National average: 1.68 - Minnesota: 1.27 - South Dakota: 2.24 - Calendar 1998 data for Montana was unavailable. For calendar year 1995 the rates were: North Dakota: 1.14 - Minnesota: 1.30 - South Dakota: 2.04 - Montana: 2.30 - National average: 1.70.

## INTERNAL/EXTERNAL FACTORS AFFECTING PERFORMANCE

The accident, injury and fatality rates are subject to many factors beyond the control of the ND Highway Patrol officers such as seat belt use, faulty equipment, weather, public attitudes toward traffic laws and other factors. Also, fatalities and accidents which occur in cities and towns where the NDHP does not have primary responsibility are still included in the annual fatality and accident statistics.

6  
3-15-01

# **PROGRAM REQUEST**

804 HIGHWAY PATROL

Version: 1999-0604-B-01

Page: 2 of 3

Date: 12/04/1998

Time: 9:41:29

Program: LAW ENFORCEMENT TRAINING ACADEMY      Reporting Level: 00-504-400-00-00-00      Program No: 02      Priority: 2

Objective: 02 Provide ND Highway Patrol officers and other state and local law enforcement officers with the highest quality training possible

Code	Indicator	Actual 1997	Estimated 1998	Estimated 1999	Requested 1999-2001
<b>Outcome Measures</b>					
101	Increase utilization of Law Enforcement Training Academy	(.11)	(.34)	.05	.1
<b>Effectiveness and Other Measures</b>					
201	Percent utilization of Law Enforcement Training Academy	.61	.4	.42	.6

## **PROGRAM DESCRIPTION AND JUSTIFICATION**

NDCC 39-03-13.1 states that the NDHP superintendent is responsible for the operation, maintenance and administration of the Law Enforcement Training Academy.

## **INTERPRETIVE DATA**

The current capacity of the Law Enforcement Training Academy (LETA) is based on the following: a capacity of 80 students for 8 hours per day for 240 days per year (48 weeks) or 183,600 officer-hours (officers x hours) of training per fiscal year [80 x (8 x 240)] or 307,200 officer-hours per biennium. This capacity level is double the capacity of the 1997-97 biennium, and was established as a result of the expansion of the LETA. This current capacity was originally determined using total available classroom seating as the primary factor in arriving at an estimate of total capacity of the expanded LETA for the 1997-98 biennium. However, though the results of fiscal 1998 were an increase in officer-hours of training by 30%, the percent utilization declined by 34% using the newly established capacity level of the expanded LETA. The experience of the first fiscal year of use of the expanded LETA also indicates that a better measure of capacity level is the number of available beds in the student dormitory rooms. Based on the fiscal 1998 results the NDHP now feels that the potential increase in capacity of the expanded LETA was overestimated during the 1997-98 biennium budget process. Accordingly, for the 1999-2001 biennium we recommend a capacity level of 80 students for 8 hours per day for 240 days per year (48 weeks). This amounts to 115,200 officer-hours (officers x hours) of training per fiscal year or 230,400 officer-hours of training per biennium. The requested measure totals for the 1999-2001 biennium have been calculated using 230,400 officer-hours of training as the estimated capacity level for the expanded LETA. Since the NDHP does not charge students for tuition, meals or lodging for attending classes at the LETA the cost per officer-hour does not include any expenses other than funding provided by the ND Highway Patrol.

## **INTERNAL/EXTERNAL FACTORS AFFECTING PERFORMANCE**

The level of attendance by local law enforcement officers in any given period is determined to a significant extent by the level of local and state funding of law enforcement agencies and also the workload demands of any particular area.

# PROGRAM REQUEST

804 HIGHWAY PATROL

Version: 1999-0604-B-01

Page: 3 of 3

Date: 12/04/1998

Time: 9:41:29

Program: ADMINISTRATION

Reporting Level: 00-604-100-00-00-00

Program No: 03

Priority: 3

Objective: 03 Provide administrative services to all departmental programs and activities

Code	Indicator	Actual 1997	Estimated 1998	Estimated 1999	Requested 1999-2001
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## Effectiveness and Other Measures

201	Percent of employee turnover for reasons excluding retirement	.01	.01	.01	.02
202	Number of employees terminated for reasons excluding retirement	2	2	2	4
203	Number of formal recommendations in financial and compliance audit reports				

## PROGRAM DESCRIPTION AND JUSTIFICATION

NDCC 36-03-13 authorizes the superintendent of the ND Highway Patrol to organize the agency into such divisions, bureaus and districts as is deemed necessary.

## STRATEGY REQUEST

884 HIGHWAY PATROL

Version: 1989-0604-B-01

Page: 1 of 5

Date: 12/04/1988

Time: 9:41:33

Program: FIELD OPERATION	Reporting Level: 00-504-300-00-00-00	Priority: 1
Strategy: FIELD PATROL	Strategy Level: 00-504-300-00-00-00	Request Amount: 13,991,358

Objective: 01 Reduce fatalities, injuries and economic loss by containing traffic accident rate

Strategy: 01 Supervision of traffic on rural highways by uniformed officers

Code	Indicator	Actual 1987	Estimated 1988	Estimated 1989	Requested 1989-2001
Output Measures					
301	Hours of road patrol	117,481	133,722	130,000	265,000
302	Miles of road patrol	3,249,208	3,602,931	3,464,000	6,373,000
303	Total contacts	124,540	147,705	144,000	292,000
304	Highway assists	9,887	8,556	8,300	15,000
305	Accidents investigated	4,002	3,550	3,450	6,000
306	Hours of Community Policing	10,208	11,312	10,800	20,000
Efficiency and Other Measures					
401	Road patrol hours per FTE per month	92.07	94.58	96	105
402	Cost per mile of road patrol	2.11	2.12	2.25	2.21

### STRATEGY DESCRIPTION AND JUSTIFICATION

NDCC 39-03 requires the NDHP to patrol rural highways and cooperate with local law enforcement officials to enforce the laws relating to the operation of motor vehicles and the use of rural highways.

#### INTERPRETIVE DATA

Hours of road patrol include stationary enforcement where that type of operation is more effective than regular moving patrol. Contacts include all encounters with vehicles, motorists, pedestrians, etc., where a specific action is taken and may include such services as transportation of people or emergency medical supplies or any other assistance provided by a ND Highway Patrol officer. Highway assists and accidents investigated are included in the total number of contacts. Community policing is a philosophy which emphasizes education and prevention by taking a proactive, community relations-oriented approach to law enforcement. This approach seeks to provide solutions to problems by promoting better communication from the citizens of a community as a means of enhancing public safety.

# STRATEGY REQUEST

504 HIGHWAY PATROL

Version: 1999-0504-B-01

Page: 2 of 5

Date: 12/04/1998

Time: 9:41:33

Program: FIELD OPERATIONS	Reporting Level: 00-504-300-00-00-00-00	Priority: 2
Strategy: WEIGHT/SIZE ENFORCEMENT	Strategy Level: 00-504-300-32-00-00-00	Request Amount: 3,293,504

Objective: 01 Reduce fatalities, injuries and economic loss by containing traffic accident rate

Strategy: 02 Weight/size enforcement of commercial traffic

Code	Indicator	Actual 1997	Estimated 1998	Estimated 1999	Requested 1998-2001
Output Measures					
301	Hours of weight/size enforcement operations	58,286.	57,000.	57,000.	192,000.
302	Vehicles examined	1,028,157.	1,078,000.	1,078,000.	1,858,000.
303	Enforcement actions	789,705.	819,000.	819,000.	1,410,000.
Efficiency and Other Measures					
401	Cost per vehicle examined	1.53	1.45	1.49	1.76

## STRATEGY DESCRIPTION AND JUSTIFICATION

NDCC 39-12-02 authorizes the Highway Patrol to issue a special written permit authorizing the applicant to operate or move a vehicle, mobile home or modular unit of a size or weight exceeding the maximum specified by law upon a highway under the jurisdiction of the ND Highway Patrol.

## INTERPRETIVE DATA

Hours of weight/size enforcement consist of hours worked at the weigh stations located around the state. Vehicles examined include those which pass through one of the weigh stations. Enforcement actions include weighing vehicles and/or adjusting vehicle bridges or axles when it is deemed necessary by motor carrier inspectors.

## INTERNAL/EXTERNAL FACTORS

Agreements with other states and provinces reduce the number of vehicles which must purchase permits in North Dakota.



## STRATEGY REQUEST

504 HIGHWAY PATROL

Version: 1999-0504-B-01

Page: 3 of 5

Date: 12/04/1998

Time: 9:41:33

Program: FIELD OPERATIONS	Reporting Level: 00-504-300-00-00-00	Priority: 4
Strategy: MOTOR CARRIER SAFETY ASSISTANCE PROGRAM	Strategy Level: 00-504-300-33-00-00-00	Request Amount: 2,472,176

Objective: 01 Reduce fatalities, injuries and economic loss by containing traffic accident rate

Strategy: 03 Motor Carrier Safety Assistance Program (MCSAP) - safety inspections of commercial vehicles and compliance reviews of motor carrier companies

Code	Indicator	Actual 1997	Estimated 1998	Estimated 1999	Requested 1999-2001
<b>Output Measures</b>					
301	Hours of MCSAP operations	21,549.	18,837.	21,163.	42,000.
302	Number of vehicle safety inspections	16,100.	18,122.	18,878.	39,000.
303	Number of motor carrier company compliance reviews	16.	22.	28.	50.
<b>Efficiency and Other Measures</b>					
401	Cost per hour of MCSAP operation	21.44	22.98	23.68	22.62

### STRATEGY DESCRIPTION AND JUSTIFICATION

NDCC 39-03-09 authorizes the Highway Patrol to require a motor carrier owner or a motor carrier's agent affected by rules adopted under NDCC 39-21 to produce travel logs or other documents to determine compliance with NDCC 39-21, which section provides regulations as to equipment of vehicles.

### INTERNAL/EXTERNAL FACTORS

Results are subject to changes in federal policy with regard to funding and requirements of inspections and operating procedures.

# STRATEGY REQUEST

804 HIGHWAY PATROL

Version: 1999-0504-B-01

Page: 4 of 5  
Date: 12/04/1998  
Time: 9:41:33

Program: LAW ENFORCEMENT TRAINING ACADEMY	Reporting Level: 00-504-400-00-00-00	Priority: 5
Strategy: LAW ENFORCEMENT TRAINING ACADEMY	Strategy/Level: 00-504-400-40-00-00-00	Request Amount: 289,033

Objective: 02 Provide ND Highway Patrol officers and other state and local law enforcement officers with the highest quality training possible

Strategy: 01 ND Highway Patrol officer and local law enforcement peace officer training

Code	Indicator	Actual 1997	Estimated 1998	Estimated 1999	Requested 1999-2001
Output Measures					
301	Officer-hours (officers x hours) of law enforcement training	47,065.	61,025.	63,975.	138,000.
Efficiency and Other Measures					
401	Cost per officer-hour (officers x hours) of law enforcement training	8.15	7.15	6.77	6.33

## STRATEGY DESCRIPTION AND JUSTIFICATION

NDCC 39-03-13.1 states that the NDHP superintendent is responsible for the operation, maintenance and administration of the Law Enforcement Training Academy.

## INTERPRETIVE DATA

Current capacity of the Law Enforcement Training Academy (LETA) is based on the following: a capacity of 80 students for 8 hours per day for 240 days per year (48 weeks) or 153,600 officer-hours (officers x hours) per year (80 x (8 x 240)). This capacity level was originally determined using total available classroom seating as the primary factor in arriving at an estimate of total capacity. However, the experience of the first fiscal year of use of the expanded LETA indicates that a better measure of capacity is the number of available beds in the student dormitory rooms. Based on this as the primary factor, for the 1999-2001 biennium we recommend a capacity level of 60 students for 8 hours per day for 240 days per year (48 weeks). This amounts to 115,200 officer-hours (officers x hours) of training per fiscal year or 230,400 officer-hours of training per biennium. Since the NDHP does not charge students for tuition, meals or lodging for attending classes at the LETA the cost per officer-hour does not include any expenses other than funding provided by the ND Highway Patrol.

## INTERNAL/EXTERNAL FACTORS

The level of attendance by local law enforcement officers in any given period is determined to a significant extent by the level of local and state funding of law enforcement agencies and also the workload demands of any particular area.

# STRATEGY REQUEST

804 HIGHWAY PATROL

Version: 1989-0504-B-01

Page: 5 of 5

Date: 12/04/1988

Time: 9:41:33

Program: ADMINISTRATION	Reporting Level: 00-504-100-00-00-00	Priority: 3
Strategy: ADMINISTRATION	Strategy Level: 00-504-100-10-00-00-00	Request Amount: 1,825,543

Objective: 03 Provide administrative services to all departmental programs and activities

Strategy: 01 Provide accounting, budgeting, information/technology management, planning and accreditation, and personnel management for the department

Code	Indicator	Actual 1987	Estimated 1988	Estimated 1989	Requested 1989-2001
401	Percent of administrative expenses to total departmental expenses	.08	.08	.08	.00

## STRATEGY DESCRIPTION AND JUSTIFICATION

The NDHP Administration consists of three divisions: Human Resource Management, Information Services, and Accounting.