

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1011

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10/30/03
Date

2003 HOUSE APPROPRIATIONS

HB 1011

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date: January 13, 2003

Tape Number	Side A	Side B	Meter #
2		xx	
3	xx		
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes:

Colonel James Hughes, Superintendent of the ND Hwy.. Patrol testified on behalf of HB

1011 Written testimony is enclosed. In attendance, Maj. Mark Nelson, Field Operation

Commander, Maj. Neil Johnson, Patrol, Mark Lahren, analysts, and Capt. Dave Kleepe,

Administrator.

Col. Hughes also shared information related to the Amber Alert system which is connected with

Minnesota, South Dakota, Minnesota and the Canadian provinces. The system will be tested on

Feb. 6, 2003

Colonel James Hughes in reference to a question from Rep. Koppelman the department has

managed with the current budget to address the challenges of its changing roll since 9-11. The

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Bill/Resolution Number HB1011

Hearing Date January 13, 2003

department has called upon retired troopers to work part-time without benefits in an effort to redirect it's resources.

Rep. Timm asked where the funds will be allocated from the dollars retained by reducing 15 FTE's.

Colonel James Hughes responded 90% of the budget is operations; cars, people, gas etc. A 90% budget was submitted with 32 FTE's and the closing of several weigh scales. The Govenors office was able to give us back 21 FTE's and we received 1M in funding from the Federal Government to maintain 3 weigh stations..

Colonel James Hughes in response to Rep. Skarphols question, the department anticipates 6 vacancies in patrol, 1-2 might retire during the next biennium. He also advised the committee although insurance costs have skyrocketed, his department has received a 10% discount in rates from Risk Management because of a reduction in accidents.

Rep. Glassheim commented he has received many letters from fixed scale communities, voicing safety concerns. Fixed scale facilities do more that just check for weight.

Colonel James Hughes agreed, saying Historically, scales have provided 1) truckers with needed permits, this has gone for the most part electronic. 2) scales provided a deterrent to overloading..30% of overloads are picked up from patrol, accounting for 70% of fines. He stated no buildings will be removed from the closed sites so officers can use these facilities for monitoring as needed. Weigh in Motion detectors will be added and 3) the site provide for an inspection site needed by Federal guidelines. Their will be flexibility with the mobile teams.

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Rep. Keith Kempenich, District #39 appeared before the committee to voice his concern over the site closings. Mobile units are based on more inspection vs. Weight with mobile stations not being opened at night. He would like to visit with Col. Hughes for further discussion.

Rep. Skarphol commented to the committee, the legislature put a lot of pressure on the Col. last session, 90% of Hwy.. damage is due to weight....the biggest abusers are our citizens. The cost of replacement is to high to allow abuse. I agree with the Colonel.

Hughes Colonel James stated the department is phasing in the scales and the original budget closed all scales, at the last minute the Feds, Gov. Office and the state pulled together to keep 3 scales open in Fargo, Joliet, and Williston. The sites are not being destroyed. Therefore, when the funds become available we can turn the switch and reopen.

Rep. Timm commented he believed the Hwy.. Patrol should be funded totally from the General Fund. The funding change was from the Hwy. Trust Fund instead of the Hwy. Fund. OMB made that change.

Hughes Colonel James Some of the funding has been returned, we returned 5 Million to the Hwy. Trust Fund, 6.2M from Hwy. Fund. We believe more money will be returned this biennium.

Rep. Glasshelm requested a written response to the scale closing budge, federal funding etc. Related to the advantages and disadvantages of the scheduled closings.

Hearing no further testimony, the hearing was closed.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date January 23, 2003

Tape Number	Side A	Side B	Meter #
1	xx	xx	
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: Committee Work

Sherry Neas, Procurement Manager, answered questions regarding the 1600 cell phones used in state government. The current plan includes several state packages. The plan expires 2/28/05, this is a joint contract with Higher Education. Bids will be send out soon. The cost show from 7/01 to 7/02, which includes a 13 month period averaged \$30,000. It was noted a policy should be developed to tract cell phones and not depend on the contractor to do so.

Linda Belisle, Director, Central Services Div., OMB HB 1180 will define professional services. Agencies can contract for their own services while following guidelines, a manual has been developed.

Rep. Jim Kerzman, testified he would like to see limited authority to the Hwy. Patrol. He has introduced HB 1484 which would limit authority to the main corridors. Weigh stations.....he agrees with the rational but visibility is lost and maybe portables should be put with the sheriff's

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Government Operations Division

Bill/Resolution Number HB 1011

Hearing Date January 23, 2003

department. He would like to see things as local as possible, making the Hwy. Patrol limited unless called upon.

Col. Hughes, Highway Patrol The drug problem is expanding especially in Williston and Williams County. His department has limited authority except in cases of emergency.

Rep. Kempenich, District #39, spoke regarding weigh stations and scales. Permanent and portable situations in the Bowman area

Col. Hughes stated the Hwy. Department, the Federal Gov. And the Hwy. patrol will determine the sites for the Electronics Monitor locations. Those sites have not been selected.

Wade Williams, Association of Counties participated in the weight station discussion

Col. Hughes changes in this budget.. 1. Increase in motor pool and fuel costs. 2. Decrease in the line item for salaries and 3. Increase in insurance due to Risk Management increase.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date February 4, 2003

Tape Number	Side A	Side B	Meter #
1	x		
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: **COMMITTEE WORK**

Rep. Kempenich, District 39 presented information on the weigh station revenue along with three proposed amendments; 0102 would add 1 weigh station, 0103 would add 2 weigh stations to the budget and 0104 would add 3 scales to the budget.

Legislative Council noted the increase would come from the Hwy. Tax distribution fund. Scale Revenue would go into the Hwy. Fund.

Rep. Skarphol in reference to the Beach weigh station noted there is an east and west station in MT, the west bound is 24 hr manned, east bound into ND is not. The most challenging time for Overweigh trucks is in the fall with the movement of livestock.

Discussion was shared regarding proposed amendment 38011.0101, this will replace the fund to Save 2 FTE's. The department received money from a new federal program. This would allow 2 positions being lost in the weigh station closings to be filled with federal money.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date February 5, 2003

Tape Number	Side A	Side B	Meter #
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: COMMITTEE WORK

Wade Williams, ND Association of Counties, shared written testimony on Hwy. Patrol funding and the state aid fund to counties, cities, and townships. A distribution hand out was also distributed.

Rep. Carlisle There are 3 amendments regarding weigh stations submitted by Rep. Kempenich.

Rep. Timm highlighted some of the Hwy. Patrols budget, there is a questions regarding the calculation used for fleet services. Last biennium, the legislator appropriated them .50/ mile. This actually cost them .39/mile. For the 03-05 biennium they are predicting .53/mile based on \$2.00/gal of fuel. If a weigh station amendment would pass, could we add an additional amendment to direct the fuel savings to weigh station operation. Carry over from the last

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Hearing Date February 5, 2003

biennium is \$192, 000. This is turned back to the general fund. This carry over is build into the proposed budget.

Rep. Koppelman questioned why the rate is so elevated compared to other vehicles.

Celeste, OMB Hwy. Patrol vehicles are more expensive to run, due to high power, they are expensive to run and buy. This turnover is already built into the proposed budget.

Rep. Glasshelm asked if the turn over goes into the Hwy. Fund or the General Fund

Allan, Legislative Council each portion will be directed to the fund where it originated.

Rep. Warner asked if there is language that all special and federal money is expended before General fund money.

Rep. Skarphol yes, yet General Fund money is needed for federal match.

Chairman Carlisle explained amendment 38011.0101,

REP. SKARPHOL MOTIONED A DO PASS ON AMENDMENT 38011.0101, SECOND BY REP. WARNER. DISCUSSION

Rep. Carlson why would we take 2 existing positions and roll them into the federal funding Instead of adding two more positions out of the Hwy. Patrol?

Rep. Skarphol the hwy. Patrol is reducing staff by 25 due to weigh station closings and hire Some back. It's the Col. Intent to hire back 11 officers to avoid layoffs.

Rep. Carlson my point is we should reduce the numbers driving up and down the highway by Two to absorb these positions.

HEARING NO FURTHER DISCUSSION A ROLL CALL VOTE WAS TAKEN

MOTION CARRIES 8 YEAH, 1 NAY, (CARLSON VOTED NAY)

Chairman Carlisle asked for Amendment 38011.0104

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A DO PASS MOTION ON AMENDMENT 38011.0104 WAS MADE BY REP.

GLASSHEIM, SECOND BY REP. CARLSON,
Rep. Carlson asked for review of the amendments.

Rep. Skarphol, We are saving the scales in Beach, Bowman, and Moorton.

**HEARING NO FURTHER DISCUSSION, THE ROLL WAS TAKEN MOTION
CARRIED WITH 1 YEAH (KOPPELMAN) AND 8 NAY. THE
AMENDMENT DIES.**

A DO PASS MOTION ON AMENDMENT 38011.0103 WAS MADE BY REP.

GLASSHEIM, SECOND BY REP. CARLSON, DISCUSSION

Rep. Skarphol This is Beach and Bowman

Rep. Carlson if you save these two how many jobs are gone

Rep. Skarphol 25 total.... 11 will be hired back with MCSAP, 14 total will lose their jobs

**HEARING NO FURTHER DISCUSSION THE ROLL WAS TAKEN, THE MOTION
CARRIED BY UNANIMOUS VOTE, 0 YEAH, 9 NAY. AMENDMENT DIES.**

Rep. Carlisle asked the committee to turn to amendment 0102. This is one scale located in Bowman.

Rep. Skarphol this is located in a location that lends itself to useful purpose, 3 jobs.

There is technology available to determine overweight with a gun instead of a station.

Several states no longer have permanent scales. This scale serves a purpose for the oil industry.

Rep. Carlson, Why are we saving one, is it the jobs in Bowman.

Rep. Skarphol it is also a revenue issue, its a revenue producer.

Rep. Kroeber there will be weigh stations in all four corners of the state

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Rep. Warner Just a note, these are not being demolished they can be opened again at any time.

Rep. Carlisle technology, part is jobs, part is location, it's a combination. This is a passionate issue.

Rep. Carlson That's fine, but, that puts us \$270,000 over the budget. Does the revenue offset
The cost.

Rep. Skarphol no

Rep. Carlisle if this motion passes, with the revenue and some language with the turn back

Rep. Skarphol we can put language revenue will not be transferred from the State Hwy.
Distribution Fund, unless there is a shortfall. They first have to use that revenue and then the
Savings.

Allan, Legislative Council, The revenue generated from the weigh stations goes into the Hwy.
Fund. If you want to change that.....

**A DO PASS MOTION WAS MADE BY REP. GLASSHEIM, SECOND BY REP.
THORESON ON AMENDMENT 38011-0102, VOTE WAS TAKEN, REP. WARNER,
NO; REP KROEBER, YES; REP. GLASSHEIM, YES; REP. TIMM, NO; REP.
THORESON, YES; REP. SKARPHOL, YES; REP. KOPPELMAN, YES; REP.
CARLSON, NO; CHAIRMAN CARLISLE, YES. MOTION CARRIED WITH 6 YEAS, 3
NAYS AND 0 ABSENT AND NOT VOTING.**

Rep. Skarphol The committee has to recommend a funding source for this amendment and
whether we are going to transfer more money from the highway fund.

Rep. Carlisle, asked of Council...what are the options.

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Hearing Date February 5, 2003

Allan, Legislative Council Do you want to fund from the Highway Dist. Fund, the Hwy. Fund or the general fund.

Rep. Kroeber, how are the others funded

Celeste, OMB There isn't just one dedicated funding source.

Rep. Timm If we take 200,000 from the Colonels budget he is going to have to reduce something else. So it decreases what the Highway Department gets and the DOT

Rep. Glassheim The turn back would ultimately go back to the general fund.

Rep. Carlson Isn't all turn back money already built into the next budget revenue, so it's already recommitted, so in essences we have already used it. Did DOT anticipate some turn back

Rep. Skarphol if you chose as a committee not let the money go with the three people in Bowman, The Col. Is going to have to not hire the 11 MCSAP troopers he intended to maintain. He will let 11 people go to keep the three people in Bowman. Because of the 80-20 match. He would not have the money. **Rep. Skarphol** had to leave for a hearing.

Rep. Kroeber are we assuming we would continue the revenue, if Bowman is closed.

Allan, Legislative Council it is assumed the truckers will get their permits through another source, they may be some adjustment.

Rep. Carlisle there are two options the general fund or the Highway Tax Distribution fund, **Rep. Skarphol** is right., the Col. Will go for plan B.

Rep. Timm if we take it from the Highway Fund we are reducing the DOT opportunity to match federal funds. You take it out of the general fund and we have other issues.

Rep. Carlisle for purposes of an amendment we would come back and use general fund

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Allan, Legislative Council right now, the amendment you approved has the money coming out of the distribution fund.

Rep. Glassheim It's a policy decision, it's \$270,000 which will be spent, what needs it more the general fund or the Hwy. Fund.

Rep. Carlson What's the federal match on the Highway Fund

Allan, Legislative Council 80-20

Rep. Carlson So, this comes out to about a 1M effect.

Rep. Timm This effects the next budget we are going to take up. 63% is the DOT portion of the Hwy. Distribution fund. A \$160,000 reduction., cities and counties lose \$90,000.

REP. GLASSHEIM MADE THE MOTION TO RECONSIDER THE ACTION ON AMENDMENT 38011.0102, SECOND BY REP. KROEBER, HEARING NO DISCUSSION THE VOTE WAS CALLED, 7 YEAS, 1 NAY (THORESON), 1 ABSENT AND NOT VOTING (SKARPHOL)

REP. WARNER MADE A DO PASS MOTION ON AMENDMENT 38011.0102 SECOND BY REP. CARLSON, HEARING NO DISCUSSION, ROLL CALL VOTE WAS TAKEN, 1 YEAH (REP. THORESON), 7 YEAH AND 1 ABSENT (SKARPHOL) AND NOT VOTING. AMENDMENT 38011.0102 DIES.

REP. TIMM MADE THE MOTION TO DO PASS AS AMENDED, WITH AMENDMENT 38011.0101, SECOND BY REP. WARNER, ROLL CALL VOTE WAS TAKEN 8 YEAH, 0 NAY, AND 1 ABSENT AND NOT VOTING (SKARPHOL).

MEETING ADJOURNED

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee

☐ Conference Committee

Hearing Date 02-13-03

Tape Number	Side A	Side B	Meter #
Committee Clerk Signature <i>Chris S. Nyhus</i>			

Minutes:

Chairman Svedjan Opened HB 1011 for discussion. A quorum was present.

Rep. Timm The counties and cities are sharing the costs of the Highway Patrol and the Highway Patrol is happy with their ITD funds and costs. We found no problem with the budget excluding the closing of the weigh stations.

Rep. Carlisle I move amendment number 38011.0108 to HB 1011. 2nd by Rep. Skarphol.

Rep. Delzer How many safety audit motor carriers do we have?

Timm There are only two and they are offered to two of the displaced weigh station workers.

Rep. Delzer Are they mobile?

Rep. Timm They are safety inspectors, not mobile weight enforcers.

Rep. Skarphol We assume they will be in other areas.

Rep. Wald What is the definition of a safety audit?

Rep. Timm Having an officer look at a trucking company's office and also at the trucks.

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Rep. Kempenich So the auditors look at the books mostly?

Timm Yes.

Rep. Gulleson With regards to weigh stations, where are they funded?

Rep. Timm The Highway Fund.

Rep. Skarphol The reduction of people is 26 people. Of that, 11 can be rehired. Truck regulators go down to 9, safety inspectors go up, and the Highway Patrol stays the same.

Rep. Wald Is this a permanent move to close the weigh stations.

Rep. Timm The Highway Department will still own the weigh stations and open them from time to time. Buildings will stay and be maintained in case they want to use them.

Rep. Monson Are the two people hired back, are they locked to the area where they live?

Please explain this move.

Rep. Timm Its a new program funded by the federal government to check books. I don't know if the people losing their jobs are interested in the new positions.

Colonel Hughes, Highway Department In order to submit a 95% budget we had to either cut people, gas, or cars. We chose people. We have weigh units that do weigh and some of them do safety inspections. Some stations are manned, some aren't. The federal government has to approve ND's enforcement plan. We have to have at least two ways to weigh trucks, we'll have three. If we don't have at least two ways then we lose federal funding.

Rep. Kempenich These two additional people are uniformed troops?

Hughes They are civilians. 9 people at the scales will remain the 8 assistants will be civilians.

If the Bowman scale is close, they may work with the Highway Department, but not out of Bowman.

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Rep. Kempenich Small towns tend to be consolidated into the larger towns.

Rep. Delzer The two new positions are for safety inspectors of new trucking companies, is there enough demand to verify 2 FTE's?

Hughes Yes.

Motion Carries.

Rep. Gulleson I move to add back the 5 positions near Whapeton. 2nd by Rep. Aarsvold.

Rep. Timm Rep. Gulleson is talking about the Ellendale and Morton stations.

Rep. Carlson The numbers Rep. Timm gave us would still be collected even with these stations closed.

Rep. Kempenich There are operations in our area without troopers available. The oil companies need permits on an immediate basis. We need these weigh stations. The oil companies want to follow the law.

Rep. Glassheim The funding source for that is not general fund money. Its taken from the Highway Tax Distribution Fund.

Rep. Koppleman I move to put Morton back in and not Ellendale. Motion Fails.

Rep. Monson I move amendment 0107 to HB 1011. 2nd by Rep. Rennerfeldt. Motion Fails.

Rep. Kempenich I move amendment 0111 to HB 1011. 2nd by Rep. Thoreson. Motion Fails.

Rep. Kempenich I move amendment 0110 to HB 1011. 2nd by Rep. Kerzman. Rep.

Kempenich This would provide a service to the oil industry. Motion Fails.

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Rep. Kempenich I move .0106 to HB 1011. 2nd by Rep. Wald. Motion Fails.

Rep. Kempenich I'm disappointed in the committee's actions.

Rep. Timm I move a Do Pass As Amended. 2nd by Rep. Carlisle. Motion Passes 19-4-0.

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38011.0107
Title.
Fiscal No. 7

Prepared by the Legislative Council staff for
Representative Monsen
February 7, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853		\$2,263,853
Field operations	30,184,984		30,184,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$0	\$33,471,860
Less estimated income	14,473,199		14,473,199
General fund	\$18,998,661	\$0	\$18,998,661
FTE	181.00	1.00	182.00

Dept. 504 - Highway Patrol - Detail of House Changes

	REDUCE FIELD OPERATIONS FUNDING ¹	ADD FUNDING FOR WEIGH STATION ²	TOTAL HOUSE CHANGES
Administration			
Field operations	(\$270,000)	\$270,000	
Law Enforcement Training Academy			
Total all funds	(\$270,000)	\$270,000	\$0
Less estimated income	(\$4,600)	\$4,600	
General fund	(\$205,200)	\$205,200	\$0
FTE	(2.00)	3.00	1.00

- ¹ Reduces funding in the field operations program, including the reduction of two FTE Highway Patrol officer II positions that are currently vacant.
- ² Funding is provided for three additional FTE positions for the Joliette weigh station for the 2003-05 biennium, for a total of six, the same number as the 2001-03 biennium.

38011.0110
Title.
Fiscal No. 12

Prepared by the Legislative Council staff for
Representative Kampenich
February 10, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,454,984"

Page 1, line 11, replace "33,471,860" with "33,741,860"

Page 1, line 13, replace "18,998,661" with "19,268,661"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853		\$2,263,853
Field operations	30,184,984	\$270,000	30,454,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$270,000	\$33,741,860
Less estimated income	14,473,199		14,473,199
General fund	\$18,998,661	\$270,000	\$19,268,661
FTE	181.00	3.00	184.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FUNDING FOR WEIGH STATION 1	TOTAL HOUSE CHANGES
Administration		
Field operations	\$270,000	\$270,000
Law Enforcement Training Academy		
Total all funds	\$270,000	\$270,000
Less estimated income		
General fund	\$270,000	\$270,000
FTE	3.00	3.00

1 Funding is added from the general fund for costs of operating the Bowman weigh station for the 2003-05 biennium.

38011.0111
Title.
Fiscal No. 13

Prepared by the Legislative Council staff for
Representative Kempenich
February 11, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,994,984"

Page 1, line 11, replace "33,471,860" with "34,281,860"

Page 1, line 13, replace "18,998,661" with "19,808,661"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853		\$2,263,853
Field operations	30,184,984	\$810,000	30,994,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$810,000	\$34,281,860
Less estimated income	14,473,199		14,473,199
General fund	\$18,998,661	\$810,000	\$19,808,661
FTE	181.00	9.00	190.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FUNDING FOR WEIGH STATIONS ¹	TOTAL HOUSE CHANGES
Administration		
Field operations	\$810,000	\$810,000
Law Enforcement Training Academy		
Total all funds	\$810,000	\$810,000
Less estimated income		
General fund	\$810,000	\$810,000
FTE	9.00	9.00

¹ Funding is added from the general fund for costs of operating the Beach, Bowman, and Mooreton weight stations for the 2003-05 biennium.

38011.0112
Title.
Fiscal No. 15

Prepared by the Legislative Council staff for
Representative Gulleson
February 11, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,814,984"

Page 1, line 11, replace "33,471,860" with "34,101,860"

Page 1, line 12, replace "14,473,199" with "14,624,399"

Page 1, line 13, replace "18,998,661" with "19,477,461"

Page 1, line 15, replace "\$6,661,576" with "\$6,812,776"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853		\$2,263,853
Field operations	30,184,984	\$630,000	30,814,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$630,000	\$34,101,860
Less estimated income	14,473,199	151,200	14,624,399
General fund	\$18,998,661	\$478,800	\$19,477,461
FTE	181.00	7.00	188.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FUNDING FOR WEIGH STATIONS ¹	TOTAL HOUSE CHANGES
Administration		
Field operations	\$630,000	\$630,000
Law Enforcement Training Academy		
Total all funds	\$630,000	\$630,000
Less estimated income	151,200	151,200
General fund	\$478,800	\$478,800
FTE	7.00	7.00

¹ Funding is added for costs of operating the Mooreton (5 FTE positions) and Ellendale (2 FTE positions) weigh stations for the 2003-05 biennium. The \$151,200 of special funds is from the highway tax distribution fund.

38011.0101
Title.
Fiscal No. 1

Prepared by the Legislative Council staff for
House Appropriations - Government
Operations

January 27, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,364,984"

Page 1, line 11, replace "33,471,860" with "33,651,860"

Page 1, line 12, replace "14,473,199" with "14,653,199"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,283,853		\$2,283,853
Field operations	30,184,984	\$180,000	30,364,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$180,000	\$33,651,860
Less estimated income	14,473,199	180,000	14,653,199
General fund	118,998,861	\$0	118,998,861
FTE	181.00	2.00	183.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FTE POSITIONS ¹	TOTAL HOUSE CHANGES
Administration		
Field operations	\$180,000	\$180,000
Law Enforcement Training Academy		
Total all funds	\$180,000	\$180,000
Less estimated income	180,000	180,000
General fund	\$0	\$0
FTE	2.00	2.00

¹ The field operations line item is increased by \$180,000 of federal funds for two additional FTE positions to assist with safety audits of motor carriers recently approved for federal interstate operating authority. The two FTE positions are authorized only for the period of time and federal funds are available to fund the positions.

Date:02-05-03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1011

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0101

Action Taken DO PASS AS AMMENDED

Motion Made By REP. TIMM Seconded By REP. WARNER

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	x				
Vice Chairman Carlson	x				
Rep. Koppelman	x				
Rep. Skarphol					
Rep. Thoreson	x				
Rep. Timm	x				
Rep. Glassheim	x				
Rep. Kroeber	x				
Rep. Warner	x				

Total (Yes) 8 No 0

Absent 1

Floor Assignment REP. TIMM

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Deanna G. Hall
Operator's signature

10/30/03
Date

38011.0102
Title.

Prepared by the Legislative Council staff for
Representative Kempenich
January 31, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,454,984"

Page 1, line 11, replace "33,471,860" with "33,741,860"

Page 1, line 12, replace "14,473,199" with "14,743,199"

Page 1, line 15, replace "\$6,661,576" with "\$6,931,576"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,283,853		\$2,283,853
Field operations	30,184,984	\$270,000	30,454,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$270,000	\$33,741,860
Less estimated income	14,473,199	270,000	14,743,199
General fund	\$18,998,661	\$0	\$18,998,661
FTE	181.00	3.00	184.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FUNDING FOR WEIGH STATION 1	TOTAL HOUSE CHANGES
Administration		
Field operations	\$270,000	\$270,000
Law Enforcement Training Academy		
Total all funds	\$270,000	\$270,000
Less estimated income	270,000	270,000
General fund	\$0	\$0
FTE	3.00	3.00

1 Funding is added from the highway tax distribution fund for costs of operating the Bowman weigh station for the 2003-05 biennium.

Deanna Hall
Operator's Signature

10/30/03
Date

Date: 02-05-03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1011

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0102

Action Taken DO PASS

Motion Made By REP. GLASSHEIM Seconded By REP. THORESON

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	X				
Vice Chairman Carlson		X			
Rep. Koppelman	X				
Rep. Skarphol	X				
Rep. Thoreson	X				
Rep. Timm		X			
Rep. Glassheim	X				
Rep. Kroeber	X				
Rep. Warner		X			

Total (Yes) 6 No 3

Absent _____

Floor Assignment N/A

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Deanna Gallardo
Operator's Signature

10/30/03
Date

38011.0103
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Representative Kempenich
January 31, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,724,984"

Page 1, line 11, replace "33,471,860" with "34,011,860"

Page 1, line 12, replace "14,473,199" with "15,013,199"

Page 1, line 15, replace "\$6,661,576" with "\$7,201,576"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration			
Field operations	\$2,263,853		\$2,263,853
Law Enforcement Training	30,184,984		30,724,984
Academy	1,023,023	\$540,000	1,023,023
Total all funds	\$33,471,860	\$540,000	\$34,011,860
Less estimated income	<u>14,473,199</u>	<u>540,000</u>	<u>15,013,199</u>
General fund	\$18,998,661	\$0	\$18,998,661
FTE	181.00	6.00	187.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FUNDING FOR WEIGH STATIONS ¹	TOTAL HOUSE CHANGES
Administration		
Field operations		
Law Enforcement Training	\$540,000	\$540,000
Academy		
Total all funds	\$540,000	\$540,000
Less estimated income	<u>540,000</u>	<u>540,000</u>
General fund	\$0	\$0
FTE	6.00	6.00

¹ Funding is added from the highway tax distribution fund for costs of operating the Beach and Bowman weigh stations for the 2003-05 biennium.

Date:02-05-03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1011

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0103

Action Taken DO PASS

Motion Made By REP. GLASSHEIM Seconded By REP. CARLSON

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle		X			
Vice Chairman Carlson		X			
Rep. Koppelman		X			
Rep. Skarphol		X			
Rep. Thoreson		X			
Rep. Timm		X			
Rep. Glassheim		X			
Rep. Kroeber		X			
Rep. Warner		X			

Total (Yes) 0 No 9

Absent _____

Floor Assignment N/A

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Deanna G. Hall
Operator's Signature

10/30/03
Date

38011.0104
Title.
Fiscal No. 4

Prepared by the Legislative Council staff for
Representative Kempenich
February 3, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 9, replace "30,184,984" with "30,994,984"

Page 1, line 11, replace "33,471,860" with "34,281,860"

Page 1, line 12, replace "14,473,199" with "15,283,199"

Page 1, line 15, replace "\$6,661,576" with "\$7,471,576"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853		\$2,263,853
Field operations	30,184,984	\$810,000	30,994,984
Law Enforcement Training Academy	1,023,023		1,023,023
Total all funds	\$33,471,860	\$810,000	\$34,281,860
Less estimated income	<u>14,473,199</u>	<u>\$10,000</u>	<u>15,283,199</u>
General fund	\$18,998,661	\$0	\$18,998,661
FTE	181.00	9.00	190.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADD FUNDING FOR WEIGH STATIONS ¹	TOTAL HOUSE CHANGES
Administration		
Field operations	\$810,000	\$810,000
Law Enforcement Training Academy		
Total all funds	\$810,000	\$810,000
Less estimated income	<u>\$10,000</u>	<u>\$10,000</u>
General fund	\$0	\$0
FTE	9.00	9.00

¹ Funding is added from the highway tax distribution fund for exstr. of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium.

Date:02-05-03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1011

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0104

Action Taken ~~DO PASS~~ ~~DO NOT PASS~~ DO PASS

Motion Made By ~~REP. GLASSHEIM~~ Skarphol Seconded By ~~REP. CARLSON~~ Carlson
Glassheim Carlson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle		X			
Vice Chairman Carlson		X			
Rep. Koppelman	X				
Rep. Skarphol		X			
Rep. Thoreson		X			
Rep. Timm		X			
Rep. Glassheim		X			
Rep. Kroeber		X			
Rep. Warner		X			

Total (Yes) 1 No 8

Absent _____

Floor Assignment N/A

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Donna G. Ball
Operator's Signature

10/30/03
Date

Date:02-05-03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1011

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0102

Action Taken RECONSIDER ACTION ON AMMENDMENT

Motion Made By REP. GLASSHEIM Seconded By REP. KROEBER

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	X				
Vice Chairman Carlson	X				
Rep. Koppelman	X				
Rep. Skarphol					
Rep. Thoreson		X			
Rep. Timm	X				
Rep. Glassheim	X				
Rep. Kroeber	X				
Rep. Warner	X				

Total (Yes) 7 No 1

Absent 1

Floor Assignment N/A

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Deanna Ballantyne
Operator's Signature

10/30/03
Date

Date:02-05-03
Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1011

House Appropriations: Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0102

Action Taken DO PASS

Motion Made By REP. WARNER Seconded By REP.CARLSON

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle		X			
Vice Chairman Carlson		X			
Rep. Koppelman		X			
Rep. Skarphol					
Rep. Thoreson	X				
Rep. Timm		X			
Rep. Glassheim		X			
Rep. Kroeber		X			
Rep. Warner		X			

Total (Yes) 1 No 7

Absent 1

Floor Assignment N/A

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

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Deanna Ball
Operator's Signature

10/30/03
Date

38011.0108
Title.
Fiscal No. 8

Prepared by the Legislative Council staff for
House Appropriations - Government
Operations
February 10, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 8, replace "2,263,853" with "2,243,188"

Page 1, line 9, replace "30,184,984" with "30,184,537"

Page 1, line 10, replace "1,023,023" with "1,016,963"

Page 1, line 11, replace "33,471,860" with "33,444,688"

Page 1, line 12, replace "14,473,199" with "14,590,404"

Page 1, line 13, replace "18,998,661" with "18,854,284"

Page 1, line 15, replace "\$6,661,576" with "\$6,611,080"

Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853	(\$20,665)	\$2,243,188
Field operations	30,184,984	(447)	30,184,537
Law Enforcement Training Academy	1,023,023	(6,060)	1,016,963
Total all funds	\$33,471,860	(\$27,172)	\$33,444,688
Less estimated income	<u>14,473,199</u>	<u>117,205</u>	<u>14,590,404</u>
General fund	\$18,998,661	(\$144,377)	\$18,854,284
FTE	181.00	2.00	183.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADDS FTE POSITIONS ¹	REMOVES RECOMMENDED SALARY INCREASE ²	TOTAL HOUSE CHANGES
Administration		(\$20,665)	(\$20,665)
Field operations	\$180,000	(180,447)	(447)
Law Enforcement Training Academy		(6,060)	(6,060)
Total all funds	\$180,000	(\$207,172)	\$27,172
Less estimated income	<u>180,000</u>	<u>(62,795)</u>	<u>117,205</u>
General fund	\$0	(\$144,377)	(\$144,377)
FTE	2.00	0.00	2.00

¹ The field operations line item is increased by \$180,000 of federal funds for 2 additional FTE positions to assist with safety audits of motor carriers recently approved for federal interstate operating authority. The 2 FTE positions are authorized only for the period of time that federal funds are available to provide for the cost of the positions.

² This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

REPORT OF STANDING COMMITTEE (410)
February 14, 2003 5:02 p.m.

Module No: HR-29-2851
Carrier: Timm
Insert LC: 38011.0108 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1011: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (19 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "2,263,853" with "2,243,188"
Page 1, line 9, replace "30,184,984" with "30,184,537"
Page 1, line 10, replace "1,023,023" with "1,016,963"
Page 1, line 11, replace "33,471,860" with "33,444,688"
Page 1, line 12, replace "14,473,199" with "14,590,404"
Page 1, line 13, replace "18,998,661" with "18,854,284"
Page 1, line 15, replace "\$6,661,576" with "\$6,611,080"
Page 1, line 16, after "highway" insert "tax"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,263,853	(\$20,665)	\$2,243,188
Field operations	30,184,984	(447)	30,184,537
Law Enforcement Training Academy	1,023,023	(6,060)	1,016,963
Total all funds	\$33,471,860	(\$27,172)	\$33,444,688
Less estimated income	<u>14,473,199</u>	<u>117,205</u>	<u>14,590,404</u>
General fund	\$18,998,661	(\$144,377)	\$18,854,284
FTE	181.00	2.00	183.00

Dept. 504 - Highway Patrol - Detail of House Changes

	ADDS FTE POSITIONS ¹	REMOVES RECOMMENDED SALARY INCREASE ²	TOTAL HOUSE CHANGES
Administration		(\$20,665)	(\$20,665)
Field operations	\$180,000	(180,447)	(447)
Law Enforcement Training Academy		(6,060)	(6,060)
Total all funds	\$180,000	(\$207,172)	\$27,172
Less estimated income	<u>180,000</u>	<u>(62,795)</u>	<u>117,205</u>
General fund	\$0	(\$144,377)	(\$144,377)
FTE	2.00	0.00	2.00

¹ The field operations line item is increased by \$180,000 of federal funds for 2 additional FTE positions to assist with safety audits of motor carriers recently approved for federal interstate operating authority. The 2 FTE positions are authorized only for the period of time that federal funds are available to provide for the cost of the positions.

(2) DESK, (3) COMM

Page No. 1

HR-29-2851

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Deanna G. Hall
Operator's Signature

10/30/03
Date

REPORT OF STANDING COMMITTEE (410)
February 14, 2003 5:02 p.m.

Module No: HR-29-2851
Carrier: Timm
Insert LC: 38011.0108 Title: .0200

² This amendment removes the Governor's recommendation for state employee salary increases and retains the recommended state payment for health insurance premiums.

(2) DESK, (3) COMM

Page No. 2

HR-29-2851

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Deanna Guller
Operator's Signature

10/30/03
Date

2003 SENATE APPROPRIATIONS

HB 1011

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Deanna G. Ball
Operator's Signature

10/30/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

Senate Appropriations Committee

☐ Conference Committee

Hearing Date March 5, 2003

Tape Number	Side A	Side B	Meter #
#3	x		1,061- 3630
Committee Clerk Signature <i>Jan Hendrickson</i>			

Minutes:

Senator Holmberg, chair, opened the hearing on HB 1011 (#1061).

Senator Holmberg stated that there would be a subcommittee on this bill, which will consist of **Senator Christmann**, chair; **Senator Bowman** and **Senator Tallackson**.

Colonel James M. Hughes, Superintendent, ND Highway Patrol. His written testimony (Exhibit #1) is attached. He read his written testimony. He added that he had 5 vacancies at Motor Care inspectors, the 5th being at the scales. The Highway patrol will not be filling any of these vacancies as the House removed 13 FTE's which would include the 5 vacancies noted. There are 6 vacancies in the trooper section. There are in the selection process for the academy to start in June. These come from retiring highway patrol troopers. The individual filling the trooper position completes a 22 week of training. It takes about a year to fill a vacancy and get the trooper on the highway.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Bell
Operator's Signature

10/30/03
Date

Page 2
Senate Appropriations Committee
Bill/Resolution Number HB 1011
Hearing Date March 5, 2003

Questions: (#4300) **Senator Robinson:** On page 1 of his testimony he talked about highway safety, that speed kills, etc. There is a the bill that raises the speed limit to 75 on the Interstate, you have a shortage of troopers now, you have added responsibilities now for covering the capitol, helping with the traffic at the air bases, additional security around the state, etc. What kind of impact does it have on the patrol. **Jim** responded; He spoke on speeding, tickets, accidents and the bill to raise the speed limit. He continued about the speed limit bill and how he wanted to see the penalty and more points added to this bill. **Senator Robinson** asked Jim to relate the coverage of his troopers and the added security coverage since 9-11. Jim responded that the 75 speed limit with the added fines and penalties would be okay, so that would be enough to handle the situation. So that is were the Highway patrol stands on the 75 speed limit. **Senator Robinson;** He wanted to know how and way the Highway patrol is called upon to help with the air bases in Minot and Grand Forks? Is the state reimbursed for these services? **Jim:** Missile sites are all over, they have the locations of all these, and they were asked to patrol those areas when they are patrolling the highways, when the alert is orange or higher. When the air bases go to orange or red alert, then all vehicles coming into the bases must be checked, physically. This backs up traffic on the highways, so they were asked for additional help, outside the base, to help control and move the traffic. **Senator Bowman:** There are some major policy changes with this budget, in closing down the scales that people have be come to depend on, there was no public impute, that he understood, what bases was used to close down something that protects all the millions of miles in our roads and all the truck traffic that goes across the scales to protect that investment, how is it justified going to a portal system when they have been at very good at catching people who are overweight. He also asked about the portable scales that are already out

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Deanna G. Hall
Operator's Signature

10/30/03
Date

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Senate Appropriations Committee
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Hearing Date March 5, 2003

there that local law officials can use. He also wants to know what the average person makes working at a scale house. **Jim** responded: The Minot scale was closed with months of public hearings, with legislators, city commissioners, and all those involved. He talked about the other closures around the state. He was asked to present a 95% budget and the Highway Patrol budget is over 90% operating funds. Over 90% of the budget consists of salaries, gasoline, patrol cars and people. They don't own any buildings, no projects, no other resources. For the patrol to submit a 95% budget, they have no choice, he has to cut people, since he has no other money to cut. To find 5% which is over \$2.2 million they have to look at the operation of the department, our e-permit system, mobile enforcement system, the new electronic system that is being planned later this year, that will put electronic devices in the highway, the officer can sit up the road, turn on his computer and get the weight of the truck, axles on the truck and let people roll on, rather than stop a hundred thousand trucks that are overloaded, people can continue down the highway. The bottom line is money, the patrol does not have many options. **Senator Bowman** wanted to know what the average salary is that works at a weigh station. **Jim** responded that it was approximately \$80,000 to \$84,000 a biennium. **Senator Bowman** continued regarding the sites that are being closed and the oil traffic that is in western North Dakota. These people rely on these weigh stations for permits, etc. If they have to wait for the mail for permits then they have down time, which costs them millions of dollars. He wondered if the patrol considered what it would do to the oil patch by the closure of these stations in the western part of the state. **Jim** replied that it was considered. (Tape #3 side A ends here, Side B continues with the rest of **Jim's** answer). He took the 3 highest producing sites in the state, those in major federal highways and those that are closest to the Northern border. So they looked at homeland security

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issue, production issues, the locations and the cost to run those scales. He talked about the cost of running the scales (manpower) vs. the amount of money they bring in. He stated that he realized that money wasn't the only factor and that was why they pushed on for the e-permits. The scales will not be torn down, they will be left up with the electronics so that the local troopers or officers that work in weight enforcement, or an officer that would be located there under a federal program could go there and open the scale and start random checking the trucks. There are other ways that trucks can drive up with nobody there and weigh his own truck if it is during harvest or whatever to find out there weight. **Senator Krauter:** He wanted to know more about the E-permits. **Jim** responded that the E-permits were started because working with the ND Motor Carriers Association, the bigger companies know what permits they need all the time, if they can go to their computer and go to the patrol web site and pull up the e-permits and fill out the required information and pay by a credit card, without having to find a scale or highway patrolman. This was an easier way for them to get the permits they needed. He continued with other permits that are available. There are still people who do not want to use the computer system and they can still call the patrol office and get the permits that way also. This was a good way to do these thing where there are no scales in the area. He then talked about the Phase II of this program which would be Non-resident Interstate permits including self-issuing permits, seasonal permits, and routine oversize permits. **Senator Andrist:** He thought the mobile scales were a good idea, he wondered how they work, they can weigh a vehicle without stopping it, where are they based? How are they used? **Jim** stated that (he walked away from the mic and it was difficult to hear him) He showed 2 maps that show where the new electronic scales are located, etc. Exhibit #2 which is attached. These people that were employed at Minot were then

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put into the mobile unit where they go to where the traffic is and check the vehicles and now they can find out where there are problems if need be. The highway dept will be putting in the electronic scales, marked on the maps and this is paid with federal money, not state dollars.

Senator Lindaas wondered about cameras on the highways to catch speeders. **Jim** responded that they haven't considered them. There are devices that take a picture of the offense and it sent to the owner and they are told what they did wrong. **Senator Schobinger:** He wondered about the 48 hours log book checks. **Jim** responded: They do the 48 hour safety inspection in conjunction with other states. North Dakota does the brake check, log book etc at sites that are pre-selected.

Questions continued regarding the weigh stations, **Jim** stated that the stations will not be destroyed, they will be keep and that local officials will still be able to use them. **Senator Thane** stated that if he was Governor he would not ask an agency to submit a 95% budget that was in charge of public safety. **Senator Mathern:** He wanted to know if **Col. Hughes** was talking about the House amendments to his budget or if he wanted the Senate to make amendments. **Jim** replied that everything he had talked about was in the House version. **Senator Robinson** wanted to know how about the morale of the trooper's. **Jim** replied that it was very high, and of course the scale workers were lower. **Senator Tallackson** wanted to know how the patrol's salary was arrived at. **Jim** replied that it was base pay after attending the academy and then step increases that they give. If you take everything into consideration, health care, retirement, equipment, etc. North Dakota is competitive with other states.

(#2955) **Ron Ness**, ND. Petroleum Council. No written testimony nor did he sign in on the Registration sheet. They represent the service industry in the oil and gas industry. There has been

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a lot of discussion about the closing of the weigh stations. He felt that the Bowman station should be kept open.

(#3085) **Jim Arthought** (?) No written testimony, nor did he sign in on the registration sheet.

He has a business out of Belfied, he hauls for the oil industry. He is a county commissioner also, and he is concerned about the closing of the Bowman weigh station. His fear is that the service will not be the same without the weigh station.

Questions continued (#3330) **Senator Christmann** wanted to know how long it took to go through the weigh station, and at the random weigh scales?

Jim Arthought replied that it took about 10 minutes on a normal routing. on the random weigh scales (from a long time ago) they took much longer and would get under the truck, etc. maybe 1/2 hour if there is nothing wrong.

Hearing on HB 1011 was closed with no other testimony, by Chairman, Senator Holmberg.

The subcommittee will be looking at the issues involved. **Senator Bowman** asked if Jim could supply the committee with what the cost of training the new people and the increase of fuel with these mobile units. **Senator Christmann** stated that on page 7 of **Col. Hughes** testimony the numbers weren't the same, he would like a clarification.

Hearing closed (#3630)

On March 12, 2003, a letter was hand-delivered regarding the information requested at the hearing. This letter was put in the Senator's books. It is included here as Exhibit #3.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011 Vote

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 9, 2003

Tape Number	Side A	Side B	Meter #
1	x		3225 - 4299
Committee Clerk Signature <i>Sandra Davison</i>			

Minutes:

CHAIRMAN HOLMBERG opened the discussion on HB 1011.

SENATOR CHRISTMANN introduced amendments 38011.0204. The first two footnotes are the health insurance and technology reductions, as in all bills. The third footnote is money from the DOT for the Highway Patrol for maintaining the three weigh stations in Beach, Bowman and Mooretown. There are also federal funds involved.

It was moved by SENATOR CHRISTMANN and seconded by SENATOR BOWMAN that the committee adopt amendments 38011.0204.

SENATOR KRAUTER asked where the \$906,000 coming from?

SENATOR CHRISTMANN said its not designated. They are relying on reductions for technology and may not match dollar for dollar. It is just from the DOT.

SENATOR KRAUTER said he can't follow the other funds, where does the \$7 million come from?

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10/30/03
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Senate Appropriations Committee
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Hearing Date 04/09/03

CHAIRMAN HOLMBERG said it is coming from page one of the bill.

SENATOR CHRISTMANN said section 2 of the bill, before the amendment, states the Highway Patrol gets funds from the Highway Tax Distribution Fund. (meter 3563)

SENATOR KRAUTER asked for the detailed math of the technology reductions and its affect on the budget and road projects. Is it coming from gas tax? (meter 3662) SENATOR CHRISTMANN discussed the issues.

Note: There was a roll call vote on the bill (meter 3755). However, CHAIRMAN HOLMBERG realized the amendment had not been passed so after a 5 minute break, the committee completed the votes that appear later in the minutes.

CHAIRMAN HOLMBERG said there is a typo on the amendment, footnote two, reduction in technology should be 4% not 20% so the amendment number on the floor will be different. Council is aware of the typo.

It was moved by SENATOR TALLACKSON , seconded and passed on a voice vote that the committee reconsider its action on the bill. (meter 4011)

The motion to adopt amendment 38011.0204 passed on a voice vote.

It was moved by SENATOR BOWMAN, seconded by SENATOR ANDRIST and passed on a roll call vote (10 yes, 4 no, 0 absent and not voting) that the committee take a DO PASS AS AMENDED action on HB 1011. SENATOR CHRISTMANN will carry the bill to the floor.

Amendment
Voice Vote
OK.

Date: 4/9
Roll Call Vote #: 21

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1011

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38011.0204 Title 0300

Action Taken Do Pass As Am.

Motion Made By Bowman Seconded By Andrzej

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair	✓				
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter		✓			
Senator Kringstad	✓				
Senator Lindaas		✓			
Senator Mathern		✓			
Senator Robinson		✓			
Senator Schobinger	✓				
Senator Tallackson	✓				
Senator Thane	✓				

Total (Yes) 10 No 4

Absent _____

Floor Assignment Kringstad Christmann

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

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10/30/03
Date

38011.0205
Title.0300
Fiscal No. 2

Prepared by the Legislative Council staff for
Senator Christmann
April 9, 2003

JB
4-9-03

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1011

Page 1, line 8, replace "2,243,188" with "2,241,434"

Page 1, line 9, replace "30,184,537" with "31,050,271"

Page 1, line 10, replace "1,016,963" with "1,016,344"

Page 1, line 11, replace "33,444,688" with "34,308,049"

Page 1, line 12, replace "14,590,404" with "15,490,537"

Page 1, line 13, replace "18,854,284" with "18,817,512"

Page 1, line 15, replace "\$6,611,080" with "\$7,453,504"

Page 1, line 18, after the period insert "Of this sum, up to \$847,000 may be transferred only for the purpose of defraying the costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Administration	\$2,263,853	\$2,243,188	(\$1,754)	\$2,241,434
Field operations	30,184,984	30,184,537	865,734	31,050,271
Law Enforcement Training Academy	1,023,023	1,016,963	(619)	1,016,344
Total all funds	\$33,471,860	\$33,444,688	\$863,361	\$34,308,049
Less estimated income	<u>14,473,199</u>	<u>14,590,404</u>	<u>900,133</u>	<u>15,490,537</u>
General fund	\$18,998,661	\$18,854,284	(\$36,772)	\$18,817,512
FTE	181.00	183.00	9.00	192.00

Dept. 504 - Highway Patrol - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS ²	ADDS FUNDING FOR WEIGH STATIONS ³	TOTAL SENATE CHANGES
Administration	(\$1,754)			(\$1,754)
Field operations	(18,308)	(\$23,960)	\$906,000	865,734
Law Enforcement Training Academy	(619)			(619)
Total all funds	(\$18,679)	(\$23,960)	\$906,000	\$863,361
Less estimated income	<u>(5,867)</u>		<u>906,000</u>	<u>900,133</u>
General fund	(\$12,812)	(\$23,960)	\$0	(\$36,772)
FTE	0.00	0.00	9.00	9.00

¹ Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.

² This amendment reduces funding for information technology by \$23,960 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

³ Funding is added from the highway tax distribution fund of \$847,000 and from federal funds of \$59,000 for costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium. Section 2 of the bill is changed to provide that the \$847,000 from the highway tax distribution fund may only be used for operating costs of these three weigh stations.

REPORT OF STANDING COMMITTEE (410)
April 9, 2003 5:24 p.m.

Module No: SR-64-7228
Carrier: Christmann
Insert LC: 38011.0205 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1011, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 8, replace "2,243,188" with "2,241,434"

Page 1, line 9, replace "30,184,537" with "31,050,271"

Page 1, line 10, replace "1,016,963" with "1,016,344"

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Page 1, line 13, replace "18,854,284" with "18,817,512"

Page 1, line 15, replace "\$6,611,080" with "\$7,453,504"

Page 1, line 18, after the period insert "Of this sum, up to \$847,000 may be transferred only for the purpose of defraying the costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Administration	\$2,263,853	\$2,243,188	(\$1,754)	\$2,241,434
Field operations	30,184,964	30,184,537	665,734	31,050,271
Law Enforcement Training Academy	1,023,023	1,016,963	(619)	1,016,344
Total all funds	\$33,471,860	\$33,444,688	\$663,361	\$34,308,049
Less estimated income	14,473,199	14,590,404	900,133	15,490,537
General fund	\$18,998,661	\$18,854,284	(\$36,772)	\$18,017,512
FTE	181.00	183.00	9.00	192.00

Dept. 504 - Highway Patrol - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 1	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 2	ADDS FUNDING FOR WEIGH STATIONS 3	TOTAL SENATE CHANGES
Administration	(\$1,754)			(\$1,754)
Field operations	(18,306)	(\$23,960)	\$906,000	665,734
Law Enforcement Training Academy	(619)			(619)
Total all funds	(\$18,679)	(\$23,960)	\$906,000	\$663,361
Less estimated income	(5,667)		906,000	900,133
General fund	(\$12,812)	(\$23,960)	\$0	(\$36,772)

(2) DESK, (3) COMM

Page No. 1

SR-64-7228

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Date

REPORT OF STANDING COMMITTEE (410)
April 9, 2003 5:24 p.m.

Module No: SR-64-7228
Carrier: Christmann
Insert LC: 38011.0205 Title: .0300

FTE 0.00 0.00 9.00 9.00

- 1 Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.
- 2 This amendment reduces funding for information technology by \$23,960 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.
- 3 Funding is added from the highway tax distribution fund of \$847,000 and from federal funds of \$59,000 for costs of operating the Beech, Bowman, and Mooreton weigh stations for the 2003-05 biennium. Section 2 of the bill is changed to provide that the \$847,000 from the highway tax distribution fund may only be used for operating costs of these three weigh stations.

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2003 HOUSE APPROPRIATIONS

CONFERENCE COMMITTEE

HB 1011

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☒ Conference Committee

Hearing Date April 17, 2003

Tape Number	Side A	Side B	Meter #
1	xx		32 - end
		xx	0-22.3
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: Conference Committee

Chairman Timm called the meeting to order, Roll was taken, Committee members in attendance include **Rep. Timm, Rep. Skarphol, Rep. Kroeber, Sen. Christmann, Sen. Bowman and Sen. Tallakson**

Sen. Christmann reviewed the Senate Changes to the bill as found on Senate amendment 33011.0205. He noted money is only available from the Hwy. Tax Distribution Fund for the weigh stations.

Legislative Council noted as money is distributed the cities/counties would get that much less, if the weigh stations were closed the cities and counties would receive more.

Rep. Timm this doesn't mandate the Highway Patrol to keep open the weigh stations. They could make the call?

Legislative Council that is correct.

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Government Operations Division

Bill/Resolution Number HB 1011

Hearing Date April 17, 2003

Sen. Bowman we looked at the revenue from the weigh stations and determined it's not all expense. 1. With 40M invested in roads in this state we felt it was worth \$800,000 to protect those road with regard to weight. 2. Safety was also an issue w/ truck drivers, weigh stations provide a place to rest. What we collect in revenue and the cost, this isn't an expensive venture.

Sen. Tallackson I feel this is a good idea, we phase in technology and save the 9 FTE's

Rep. Skarphol We thought a permanent station had function and some revenue, however didn't necessitate the continued opening. With portable scales we increase dollars and lower ticket volume thus wiser spending and we catch the worst offenders. The facilities would remain would remain open. The oil industry knows their needs in advance. I have difficulty in maintaining these scales. Technology is working. I do appreciate the concerns of Sen. Bowman.

Sen. Bowman I'm not opposed to portable scales. Everyone that tries to avoid scales will get caught, however, when the word gets out they move to the next highway. We need a Phase-in, Phase-Out. I would like to see a study done this over the next 2 years.

Colonel Hughes reminded the committee the original bill closed 5 stations, those remaining would be Fargo, Joliett, and Williston.

Rep. Timm Why did you keep Mooreton, I recall is was one of the smaller producers.

Sen. Bowman I was asked by 2 Senators

Rep. Kroeber noted Mooreton is close to Beach in level of revenue.

Sen. Christmann recalled the discussion on the Senate side was relative to the Corn and Sugar Beet producers in the area and their wanting the facilities to comply with weight limits.

Rep. Skarphol it will still be available, there just won't be any bodies.

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Government Operations Division
Bill/Resolution Number HB 1011
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Colonel Hughes the buildings would remain, the road troopers, mobile teams will have them available if needed for other issues, ie. Weather. They can also be reopened on a random basis.

Rep. Skarphol asked if the cost projections are available for the cost of weigh in motion facilities and the handheld weigh projectors.

Rep. Timm asked with the plans on weigh in motion why didn't the dept. Consider maintaining the stations over the 2 years while equipment is installed.

Colonel Hughes In order to meet the 95% Governors budget he cut 36 FTE's and closed scales. The Governor added 9 FTE's and 3 scales. Currently, as the bill sits 11 FTE's are gone. This was a financial decision, I have cars, gas and people, I have nowhere else to cut. Do I cut troopers in all areas or weigh station personnel.

Sen. Tallackson commented, I feel this department is under funded, these 9 FTE's take some pressure off, this is win-win with a 2 yr. Phase out.

Rep. Timm asked if this amendment would need further action in the next biennium, the stations would stay open and then we would need to decide again next session.

Legislative Council advised there would be action needed.

Sen. Bowinan if the program is working they can make an adjustment during the interim.

Colonel Hughes as the Technology increases the phase out will begin. Fargo, Joliet and Williston will not necessarily have the same employees come July 1, 2003. The department will have to work with Central Personnel and a shift may occur due to seniority and the state law procedures. This is difficult process.

Rep. Timm this amendment give you the discretion, what would you do?

Deanna Ball
Operator's Signature

10/30/03
Date

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Government Operations Division

Bill/Resolution Number HB 1011

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Colonel Hughes If the money is put in the budget, we will still work with 3 scales. As technology increases it would not be our intention to maintain these stations.

Rep. Timm Are you going use this money or are you going to keep the savings in the Highway Distribution Fund.

Colonel Hughes I thank you for the discretion, if not for the people, family and jobs I would close more.

Rep. Timm is you long range plan to close them all.

Colonel Hughes As technology increases, yes, we've started the process 2 sessions ago. We've closed several over the years.

Rep. Timm if we pass this you will still have the ability to close them?

Colonel Hughes yes

Sen. Bowman I didn't want to force the hand to maintain the scales. They need more time to do it right. This gives them the time and flexibility.

Colonel Hughes we could have picked any 3 scales, we looked at the interstate and the homeland security issues. That plan has to meet the requirements of the Federal government or we lose federal dollars. They must first approve our plan.

Our program plan is to construct 14 sites, the final plan has yet to be determined. The construction of each site is \$85,000, 1.2M is currently in the budget. The split is 80/20 with the Feds. \$5,000 would be the annual maintenance fee.

Rep. Timm how would this effect the Highway Distribution Fund?

David Spyrncznatyk, Director DOT This has been addressed in HB 1012

Rep. Skarphol would we lose any federal match?

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Government Operations Division

Bill/Resolution Number HB 1011

Hearing Date April 17, 2003

David Spyrncznatyk, Director DOT With this increase in motor vehicle registration money remains for the match. We have seen nothing available in handheld units. Our current site is on I29 North of Grand Forks. We are using this site to gather information for design. The technology is accurate and most states are installing with the purpose of taking over the primary functions of weight stations.

The meeting adjourned.

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Deanna Ballantyne
Operator's Signature

10/30/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☒ Conference Committee

Hearing Date April 22, 2003

Tape Number	Side A	Side B	Meter #
1	xx		0-8.1

Committee Clerk Signature

Minutes: Conference Committee

Chairman Timm called the meeting to order with all members present, in attendance were **Rep.**

Timm, Rep. Skarphol, Rep. Kroeber, Sen. Christmann, Sen. Bowman, Sen. Tallackson.

The Highway Patrol distributed a vehicle count sheet relative to the various weigh stations.

Rep. Timm the amendment allows Col. Hughes to make the closing decisions. The appropriation is only for the 2 yr. Period.

Sen. Christmann that is correct, if the decision is to close the weigh stations and the weigh in motion is working, from that point the money stays in the DOT budget. The money in the Hwy. Patrol is only for the weigh stations.

Rep. Kroeber The Colonel's intention is to close the scales.

Rep. Timm Can he use the money to give a buy out option to those in the weigh station positions if needed?

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Operator's Signature

Date

10/30/03

Page 2
Government Operations Division
Bill/Resolution Number HB 1011
Hearing Date April 22, 2003

Allan, Legislative Council that is related to the operating costs, I believe that would be a good argument for that use.

Rep. Skarphol The reason to keep those stations open was for the money generate, not the vehicle traffic.

Sen. Bowman using a per employee base, those numbers change considerably, the money per employee is quite different.

Rep. Skarphol I am satisfied, the implication is to reduce the number of stations, I would like the directive and intent of the amendment to take some of the burden off the Colonel.

Sen. Bowman He will witness the change, he is the one in the position to make the determination.

Rep. Skarphol moved the Senate recede and further amend, second by **Sen. Bowman**,
Motion carries by unanimous vote.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1011

House Appropriations Committee
Government Operations Division

☒ Conference Committee

Hearing Date April 23, 2003

Tape Number	Side A	Side B	Meter #
one	xx		0-2.4
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: Conference Committee

Rep. Timm called the conference committee to order, those in attendance, Rep. Timm, Rep. Skarphol, Rep. Kroeber, Sen. Christmann, Sen. Kringstad (replaces Holmberg) Se. Tallackson.

Rep. Timm introduced .0208, this will add \$100,000 to the Hwy. Patrol to ease the pain with the weigh station Phase out.

A motion to reconsider previous action was moved by Rep. Skarphol, second by Sen. Christmann, Voice Vote was unanimous.

A DO Pass motion on .0208, and the senate recede to their amendments, was moved by Rep. Skarphol, second by Sen. Christmann.

Sen. Tallackson, Does this help?

Col. Hughes, Hwy. Patrol yes this helps quite a bit, we will use the funds with other methods to

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Deanna Baller
Operator's Signature

10/30/03
Date

Page 2

Government Operations Division

Bill/Resolution Number HB 1011

Hearing Date April 23, 2003

To ease the closing of the stations for our employees.

Roll call vote taken, passed by unanimous vote

MOTION CARRIES.

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10/30/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. Hb 1011

House Appropriations Committee
Government Operations Division

☒ Conference Committee

Hearing Date April 23, 2003

Tape Number	Side A	Side B	Meter #
2	XX		-7.9
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes: Conference Committee

Chairman Timm called the conference committee to order, Roll was taken, in attendance we
**Rep. Timm, Rep. Skarphol, Rep. Kroeber, Sen. Christmann, Sen. Holmberg (replaced Sen.
Bowman) and Sen. Tallackson**

**A motion to reconsider HB 1011 was made by Rep. Skarphol, second by Sen. Christmann
motion passed on a voice vote, Rep. Kroeber voting no.**

Rep. Timm noted leadership on both sides reduced the general fund dollars in the budget by
\$700,000, leaving \$147,000 in the Hwy. Distribution Fund to operate the weigh stations.

Sen. Christmann we eliminated the requirement to maintain the weigh stations to \$147,000.

Rep. Skarphol this removes the \$700,000 of the general fund from the Hwy. Patrol this leeway
is the discretion of the Colonel, money will have to be spent from the Hwy. Distribution fund.

Sen. Christmann moved .0207 to HB 1011, second by Sen. Holmberg

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10/30/03
Date

Page 2

Government Operations Division

Bill/Resolution Number HB 1011

Hearing Date April 23, 2003

Sen. Tallackson requested comment from the Colonel regarding the reduction.

Col. Hughes, Hwy. Patrol with less money 3 stations will not be left open. The decision is up to us to close the stations, we were going to keep them open. 11 people will lose their jobs.

Sen. Tallackson is that what you want? (to Sen. Christmann)

Sen. Christmann that's what the proposal is

Rep. Skarphol originally, the Colonel was losing 36 positions, we've done a lot to make this better.

Rep. Timm \$847,000 was there for the scales, When the Colonel asked if he would keep the scales open he said no.

Colonel Hughes we would like the opportunity to Phase in technology and cut out the stations.

Rep. Timm does the \$147,000 allow for a phase out?

Colonel 11 people for 2-3 months, I will have to address the seniority issues. I will start the process as soon as possible.

Rep. Kroebe we've made the Colonel the bad guy, We've given him the ability without the money. We had good discussion previously, this is a step back. I oppose this proposal.

Sen. Tallackson this department is under funded, and has been for years, we're crippling them Hwy. Patrol.

Sen. Christmann there is \$200,000 in which to work a transition

Colonel I've already transitioned every available person I can to go to portable units. I don't have the positions for everyone.

Rep. Skarphol \$206,000 could you keep Bowman open for the duration of the biennium?

Deanna Baller
Operator's Signature

10/30/03
Date

Page 3

Government Operations Division

Bill/Resolution Number HB 1011

Hearing Date April 23, 2003

Colonel I would need more money for two years, if the 4 Bowman probably won't be the one I would keep open.

Sen. Tallackson The public view on this with Homeland Security, we cut 11 people, we should not be cutting. They depend on the Hwy. Patrol.

Rep. Kroeber This is not proper, I would encourage you to vote against it.

A roll call vote was taken, 4 yeah 2 nay (Tallackson/Kroeber)

MOTION CARRIES

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Deanna Gallardo
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10/30/03
Date

38011.0206
Title.
Fiscal No. 1

Prepared by the Legislative Council staff for
Conference Committee
April 22, 2003

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1011

That the Senate recede from its amendments as printed on pages 1443 and 1444 of the House Journal and pages 1259 and 1260 of the Senate Journal and that Engrossed House Bill No. 1011 be amended as follows:

Page 1, line 8, replace "2,243,188" with "2,241,434"

Page 1, line 9, replace "30,184,537" with "31,034,831"

Page 1, line 10, replace "1,016,963" with "1,016,344"

Page 1, line 11, replace "33,444,688" with "34,292,609"

Page 1, line 12, replace "14,590,404" with "15,481,087"

Page 1, line 13, replace "18,854,284" with "18,811,522"

Page 1, line 15, replace "\$6,611,080" with "\$7,444,054"

Page 1, line 18, after the period insert "Of this sum, up to \$847,000 may be transferred only for the purpose of defraying the costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Administration	\$2,263,853	\$2,243,188	(\$1,754)	\$2,241,434	\$2,241,434	
Field operations	30,184,984	30,184,537	850,294	31,034,831	31,050,271	(\$15,440)
Law Enforcement Training Academy	1,023,023	1,016,963	(619)	1,016,344	1,016,344	
Total all funds	\$33,471,860	\$33,444,688	\$847,921	\$34,292,609	\$34,306,049	(\$15,440)
Less estimated income	<u>14,473,199</u>	<u>14,590,404</u>	<u>890,663</u>	<u>15,481,087</u>	<u>15,490,537</u>	<u>(9,450)</u>
General fund	\$18,998,661	\$18,854,284	(\$42,782)	\$18,811,522	\$18,817,512	(\$5,990)
FTE	181.00	183.00	9.00	192.00	192.00	0.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS ²	ADDS FUNDING FOR WEIGH STATIONS ³	TOTAL CONFERENCE COMMITTEE CHANGES
Administration	(\$1,754)			(\$1,754)
Field operations	(18,306)	(\$39,400)	\$906,000	850,294
Law Enforcement Training Academy	(619)			(619)
Total all funds	(\$18,679)	(\$39,400)	\$906,000	\$847,921
Less estimated income	<u>(5,867)</u>	<u>(9,450)</u>	<u>906,000</u>	<u>890,663</u>
General fund	(\$12,812)	(\$29,950)	\$0	(\$42,762)
FTE	0.00	0.00	9.00	9.00

- 1 Funding for state employee health insurance premiums is reduced from \$483 to \$488.70 per month.
- 2 This amendment reduces funding for information technology by \$39,400, of which \$29,950 is from the general fund and \$9,450 is from the highway tax distribution fund, which represents a reduction in information technology funding of approximately 5 percent.
- 3 Funding is added from the highway tax distribution fund of \$847,000 and from federal funds of \$59,000 for costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium. Section 2 of the bill is changed to provide that the \$847,000 from the highway tax distribution fund may only be used for operating costs of these three weigh stations. The Senate also made these changes.

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Deanna Hall
Operator's Signature

10/30/03
Date

REPORT OF CONFERENCE COMMITTEE (420)
April 24, 2003 8:51 a.m.

Module No: HR-74-8289

Insert LC: 38011.0207

REPORT OF CONFERENCE COMMITTEE

HB 1011, as engrossed: Your conference committee (Sens. Christmann, Holmberg, Tallackson and Reps. Timm, Skarphol, Kroeber) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1443-1444, adopt amendments as follows, and place HB 1011 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1443 and 1444 of the House Journal and pages 1259 and 1260 of the Senate Journal and that Engrossed House Bill No. 1011 be amended as follows:

Page 1, line 8, replace "2,243,188" with "2,241,434"

Page 1, line 9, replace "30,184,537" with "30,334,831"

Page 1, line 10, replace "1,016,963" with "1,016,344"

Page 1, line 11, replace "33,444,888" with "33,592,609"

Page 1, line 12, replace "14,590,404" with "15,481,087"

Page 1, line 13, replace "18,854,284" with "18,111,522"

Page 1, line 15, replace "\$6,611,080" with "\$7,444,054"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Administration	\$2,263,853	\$2,243,188	(\$1,754)	\$2,241,434	\$2,241,434	
Field operations	30,184,884	30,184,537	150,294	30,334,831	31,050,271	(\$715,440)
Law Enforcement Training Academy	1,023,023	1,016,983	(819)	1,016,344	1,016,344	
Total all funds	\$33,471,860	\$33,444,688	\$147,921	\$33,592,609	\$34,308,049	(\$715,440)
Less estimated income	14,473,199	14,590,404	890,883	15,481,087	15,490,537	(9,450)
General fund	\$18,998,661	\$18,854,284	(\$742,762)	\$18,111,522	\$18,817,512	(\$705,990)
FTE	181.00	183.00	9.00	192.00	192.00	0.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 1	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 2	ADDS FUNDING FOR WEIGH STATIONS 3	REDUCES FIELD OPERATIONS FUNDING 4	TOTAL CONFERENCE COMMITTEE CHANGES
Administration	(\$1,754)				(\$1,754)
Field operations	(18,308)	(\$39,400)	\$906,000	(\$700,000)	150,294
Law Enforcement Training Academy	(819)				(819)
Total all funds	(\$18,879)	(\$39,400)	\$906,000	(\$700,000)	\$147,921
Less estimated income	(5,867)	(9,450)	908,000		890,883
General fund	(\$12,812)	(\$29,850)	\$0	(\$700,000)	(\$742,762)

(2) DESK, (2) COMM

Page No. 1

HR-74-8289

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Operator's Signature

Date

REPORT OF CONFERENCE COMMITTEE (420)
April 24, 2003 8:51 a.m.

Module No: HR-74-8289

Insert LC: 38011.0207

FTE	0.00	0.00	9.00	0.00	9.00
-----	------	------	------	------	------

- 1 Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.
- 2 This amendment reduces funding for information technology by \$39,400, of which \$29,950 is from the general fund and \$9,450 is from the highway tax distribution fund, which represents a reduction in information technology funding of approximately 5 percent.
- 3 Funding is added from the highway tax distribution fund of \$847,000 and from federal funds of \$59,000 for costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium if the Highway Patrol chooses to continue operating these stations. The Senate had also included this funding. The Conference Committee amendment does not include the Senate change made to Section 2 of the bill which provided that the \$847,000 from the highway tax distribution fund could only be used for operating costs of these three weigh stations.
- 4 Funding for field operations is reduced by \$700,000 from the general fund. The Highway Patrol may determine the specific areas to reduce.

Engrossed HB 1011 was placed on the Seventh order of business on the calendar.

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Deanna Baller
Operator's Signature

10/30/03
Date

REPORT OF CONFERENCE COMMITTEE (420)
April 24, 2003 3:43 p.m.

Module No: SR-74-8354

Insert LC: 38011.0208

REPORT OF CONFERENCE COMMITTEE

HB 1011, as engrossed: Your conference committee (Sens. Christmann, Kringstad, Tallackson and Reps. Timm, Skarphol, Kroeber) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1443-1444, adopt amendments as follows, and place HB 1011 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1443 and 1444 of the House Journal and pages 1259 and 1260 of the Senate Journal and that Engrossed House Bill No. 1011 be amended as follows:

Page 1, line 8, replace "2,243,188" with "2,241,434"

Page 1, line 9, replace "30,184,537" with "30,434,831"

Page 1, line 10, replace "1,016,963" with "1,016,344"

Page 1, line 11, replace "33,444,688" with "33,692,609"

Page 1, line 12, replace "14,590,404" with "15,481,087"

Page 1, line 13, replace "18,854,284" with "18,211,522"

Page 1, line 15, replace "\$6,611,080" with "\$7,444,054"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Administration	\$2,283,853	\$2,243,188	(\$1,754)	\$2,241,434	\$2,241,434	
Field operations	30,184,984	30,184,537	250,294	30,434,831	31,050,271	(\$615,440)
Law Enforcement Training Academy	1,023,023	1,016,963	(619)	1,016,344	1,016,344	
Total all funds	\$33,471,860	\$33,444,688	\$247,921	\$33,692,609	\$34,308,049	(\$615,440)
Less estimated income	14,473,199	14,590,404	890,683	15,481,087	15,490,537	(\$9,450)
General fund	\$18,998,661	\$18,854,284	(\$642,762)	\$18,211,522	\$18,817,512	(\$605,990)
FTE	181.00	183.00	9.00	192.00	192.00	0.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS ²	ADDS FUNDING FOR WEIGH STATIONS ³	REDUCES FIELD OPERATIONS FUNDING ⁴	TOTAL CONFERENCE COMMITTEE CHANGES
Administration	(\$1,754)				(\$1,754)
Field operations	(18,308)	(\$39,400)	\$906,000	(\$600,000)	250,294
Law Enforcement Training Academy	(619)				(619)
Total all funds	(\$18,679)	(\$39,400)	\$906,000	(\$600,000)	\$247,921
Less estimated income	(5,887)	(9,450)	908,000		890,683
General fund	(\$12,812)	(\$29,950)	\$0	(\$600,000)	(\$642,762)

(2) DESK, (2) COMM

Page No. 1

SR-74-8354

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Deanna Ball...
Operator's Signature

10/30/03
Date

REPORT OF CONFERENCE COMMITTEE (420)
April 24, 2003 3:43 p.m.

Module No: SR-74-8354

Insert LC: 38011.0208

FTE	0.00	0.00	9.00	0.00	9.00
-----	------	------	------	------	------

- 1 Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.
- 2 This amendment reduces funding for information technology by \$39,400, of which \$29,950 is from the general fund and \$9,450 is from the highway tax distribution fund, which represents a reduction in information technology funding of approximately 5 percent.
- 3 Funding is added from the highway tax distribution fund of \$847,000 and from federal funds of \$59,000 for costs of operating the Beach, Bowman, and Mooreton weigh stations for the 2003-05 biennium if the Highway Patrol chooses to continue operating these stations. The Senate had also included this funding. The Conference Committee amendment does not include the Senate change made to Section 2 of the bill which provided that the \$647,000 from the highway tax distribution fund could only be used for operating costs of these three weigh stations.
- 4 Funding for field operations is reduced by \$800,000 from the general fund. The Highway Patrol may determine the specific areas to reduce.

Engrossed HB 1011 was placed on the Seventh order of business on the calendar.

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10/30/03
Date

2003 TESTIMONY

HB 1011

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10/30/03
Date

Prepared by the North Dakota Legislative Council
staff for House Appropriations
January 13, 2003

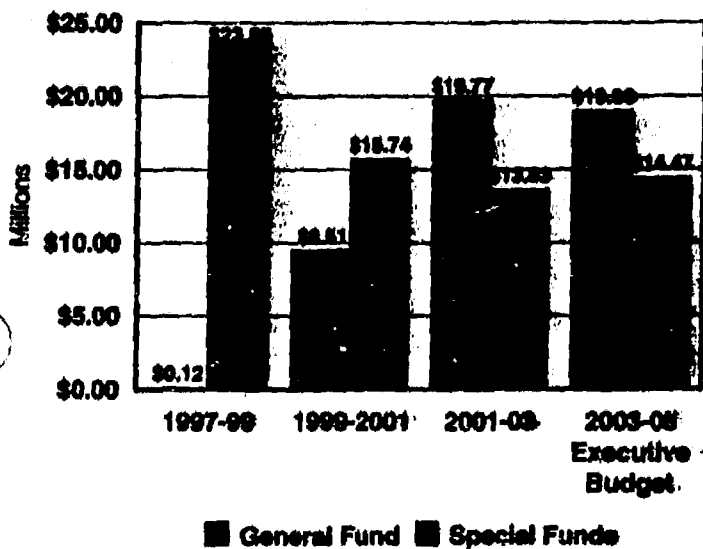
**Department 504 - Highway Patrol
House Bill No. 1011**

	FTE Positions	General Fund	Other Funds	Total
2003-05 Executive Budget	181.00	\$18,998,661	\$14,473,199	\$33,471,860
2001-03 Legislative Appropriations	196.00	19,768,701 ¹	13,629,443	33,398,144 ²
Increase (Decrease)	(15.00)	(\$770,040)	\$843,756	\$73,716

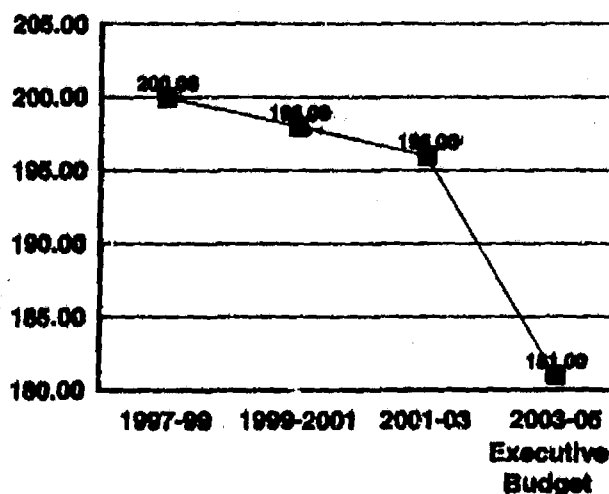
¹ The 2001-03 general fund appropriation is the amount appropriated by the 2001 Legislative Assembly and does not include a reduction of \$207,571 relating to the 1.05 percent budget allotment ordered by Governor Hoeven in July 2002.

² The 2001-03 appropriation amounts include \$155,042 from the general fund for the agency's share of the \$5 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for classified employees.

Agency Funding



FTE Positions



Executive Budget Highlights

	General Fund	Other Funds	Total
1. Removes funding and 26 FTE positions relating to the closure of five of the eight weigh inspection stations	(\$1,716,647)	(\$548,086)	(\$2,264,733)
2. Adds funding and 11 FTE positions for expanding the motor carrier safety assistance program	\$173,000	\$965,000	\$1,138,000
3. Appropriates \$6,661,576 from the highway tax distribution fund for Highway Patrol operations (19.90% of the Highway Patrol budget) compared to \$6,200,000 appropriated from the highway fund for the 2001-03 biennium (18.56% of the Highway Patrol budget). By appropriating the funds from the highway tax distribution fund, the funds will be provided to the Highway Patrol before distribution to the state, counties, and cities rather than after the distribution if appropriated from the highway fund.		\$461,576	\$461,576

Major Related Legislation

Section 2 of the bill authorizes the Highway Patrol to use up to \$6,661,576 from the highway tax distribution fund for its 2003-05 biennium operating costs as appropriated in Section 1 of the bill.

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Date

HB 1011
Testimony

**North Dakota Highway Patrol
Agency Overview**

1) What is the main purpose of your agency?

The primary purpose of the Highway Patrol is directly related to public safety. The Patrol concentrates their efforts at patrolling the highways and being visible; the reduction of traffic crashes and investigating them when they do occur; impacting alcohol abuse relating to DUI and underage consumption and the tragedies that occur on our highways as a result of these; and providing quality service to the public.

The Patrol also has the responsibility of operation, maintenance, and administration of the Law Enforcement Training Center.

Attached is a copy of the 16 separate duties and responsibilities of the highway patrol as identified in 39-03-09 NDCC.

2) How do you measure success?

The Patrol identifies performance measures that are regularly reviewed to determine how to best focus our daily efforts to impact traffic safety related issues. Following are examples of performance measures used by the NDHP:

	1999-2001 BIENNIUM ACTUAL	2001-2003 BIENNIUM BUDGET	2001-2003 PROJECTED ACTUAL	2003-2005 BIENNIUM BUDGET
Road Patrol Hours	281,744	302,000	285,000	310,000
Accidents Investigated	7095	8,000	7960	8,000
Highway User Fee Collections	5,208,249	\$5,000,000	5,000,000	\$5,000,000

Success is also measured by feedback we receive from the public. On a weekly basis we receive written comments from the public complimenting our officers for the helpful and courteous manner in which they received assistance on our highways.

3) What can the Legislature do, financially or otherwise, to help you achieve your purpose?

At this time there is probably nothing additional the Legislature can do. However, you should be aware that the movement of some personnel from state funded positions to federally funded positions will result in less flexibility in how we utilize these employees. These employees will concentrate more on the inspection of commercial vehicle equipment and compliance with commercial driver requirements and less on enforcement of size and weight regulations. We also become more reliant on the continuation of federal funding although we have no reason to believe that the funding will be discontinued.

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Deanna Williams
Operator's Signature

10/30/03
Date

- 4) How can you report (measure) your results so the public can easily understand your purpose and evaluate your effectiveness?

As a uniformed agency we are highly visible, which allows the public to constantly observe our activities and provide feedback.

In addition:

- An annual report is published.
- Evaluations are solicited from persons passing through sobriety checkpoints.
- Periodic news releases are sent to newspapers statewide.
- Presentations are given at a variety of local functions that provide time for open discussion.
- Agency personnel participate in radio talk shows where the public can call in.
- Public accreditation review

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Deanna Hall
Operator's Signature

10/30/03
Date

Joe Epifanio
1

House Bill 1011 - NDHP Appropriations

Submitted by

Colonel James M. Hughes, Superintendent

Introduction

Good afternoon, Mr. Chairman and members of the Senate Appropriations Committee. **Senate Bill 260** was enacted and approved on March 12, 1935, creating the North Dakota Highway Patrol. It authorized the appointment of the superintendent, assistant superintendent, and not more than 10 persons who shall be known as "highway police" and whose duty it shall be to enforce the provisions of laws of the state of North Dakota relating to the protection and use of the public highways in the state.

- The State Patrol is now 67 years old.
- I just started my thirtieth year.
- I've worked for the State Patrol for almost half of its existence. Boy do I feel old!
- Much has changed and all for the better I hope, and mostly because of you and your predecessors' support.

And from those meager beginnings, the North Dakota Highway Patrol has grown into one of the most widely respected law enforcement agencies in the nation.

With that being said, let's get started with the work at hand.

Traffic Safety

Our goal is to reduce the number of traffic crashes by patrolling the highways, enforcing traffic laws, providing public awareness and education, and working closely with other agencies and safety organizations. During 2002, North Dakota recorded 97 traffic fatalities in 84 fatal crashes. **This is a decrease of 8 fatalities** from the 105 (95 fatal crashes) recorded in 2001. The following information relates to 2002:

- Alcohol was a contributing factor in 42 percent of fatal crashes (42 fatalities)
- Speed/speed too fast for conditions was a contributing factor in 36 percent of fatal crashes
- There were 32 deaths in one-vehicle rollovers - 91 percent were not wearing seat belts
- 4,444 total traffic crashes were investigated by the Patrol
- 1,120 arrests for DUI
- 27 sobriety checkpoints were conducted with 21 arrests for DUI
- 702 traffic safety talks/presentations were given to citizens

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Deanna Ball
Operator's Signature

10/30/03
Date

Motor Carrier Operations

(Federal Fiscal Year 2002 – October 1, 2001-September 30, 2002)

On July 1, 1983, the regulatory responsibility of the truck regulatory division of the Department of Transportation was transferred to the Highway Patrol. This included 10 locations with 12 fixed scales with 49 truck compliance officers and supervisors staffing these sites. Currently, we have 7 fixed sites manned by 30 motor carrier inspectors and supervisors and 4 unmanned fixed sites. During the last 19 years several things have occurred that required the closing of some the scales: the 1998 flood in Fargo in conjunction with the construction of a new scale on the Minnesota side of I-94, the traffic concerns in Grand Forks and Minot, and retirements in the Hague area. We are working with our neighbors on our borders of Manitoba, Montana, and Minnesota to reduce the amount of stops that a commercial vehicle must make. This reduces their cost of operations and expedites the goods being transported. These changes were supported by the North Dakota Motor Carriers Association.

Over the last several years we have noted that while the fixed scale locations have apprehended the majority of overloads, the mobile units have, by far, assessed the larger fees. In Federal Fiscal Year 2002 while the mobile units only detected 36 percent of the total overloads, they accounted for 71 percent of the total fees collected or \$200,000. This indicates that the more serious violations are **avoiding our fixed sites** and emphasizes the need for mobile enforcement.

When it was necessary to relocate the Minot scale, a mobile team was established as a pilot program. This has so far proved to be very effective, giving us the flexibility to be mobile while still having the fixed location that may be used by local units. During the first two months of operation, the mobile team inspected 239 commercial motor vehicles, placing 87 vehicles and 15 drivers out of service, detected 17 overloaded vehicles, and collected \$8,600 in fees. This is a 50 percent increase in overload fees over the same period last year at the **fixed location**. They have conducted operations at 18 different locations throughout the western part of North Dakota.

Our 2003-2005 budget proposal provides for an increase in mobile enforcement teams and reduces our manned fixed sites from seven to three. The four scale locations that are not operated full-time would still be available for use by mobile enforcement personnel to open and operate on an unscheduled basis. The three sites we propose to continue operating are located in Williston at the intersection of US 85 and US 2, Jollette on I-29, and West Fargo on I-94.

The Motor Carrier Safety Assistance Program (MCSAP) has the primary function of reducing commercial vehicle crashes. This is done through the inspections of commercial vehicles and drivers on the roadside and also by conducting compliance reviews at companies that have given indication of safety problems. This program is essential to insure we have personnel that have the technical knowledge to conduct these inspections and reviews. Since its inception in 1985, we have seen a 50 percent decline in the number of vehicles being placed out of service for serious defects and a reduction in overall commercial vehicle crashes. This program has included all of our motor carrier troopers and four troopers assigned specifically to the MCSAP program.

Deanna Ball
Operator's Signature

10/30/03
Date

We have added one full time position that will give us five full time MCSAP positions. This will reduce the time the motor carrier troopers spend on inspections and allow more time for their primary duty of weight enforcement.

Capitol Security

I am sure you all remember the events of September 11, 2001, and the dramatic affect those events had on overall security of people, buildings, and key infrastructure. Specifically, security at the State Capitol, which you know is the responsibility of the Patrol, underwent several changes. All in an effort to provide an adequate yet acceptable level of security for state officials, employees, and citizens.

- On September 11, 2001, uniformed officers from the Bismarck district office and Headquarters staff began performing extra security assignments at the Capitol.
- On October 15, 2001, we began rotating two officers each week from our eight field districts to the Capitol for security duties. This continued until January 28, 2002.
- On January 28, 2002, a private security firm (Bismarck-Mandan Security) was hired to provide two security personnel to assist with security at the Capitol. We discontinued using the two uniformed officers from our field districts.
- On April 19, 2002, the services provided by Bismarck-Mandan Security were discontinued with security duties continued by NDHP personnel.
- This Legislative Session, we anticipate security duties will be handled by our current Capitol Security personnel. We do not plan to utilize road officers to augment the security force as we have done in past sessions.
- The biennium began with two troopers assigned full-time to Capitol Security. Currently, we are using one trooper and three part-time civilians who are retired Highway Patrol officers. We feel this allows for better utilization of our uniformed officers.

TRAINING

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. The primary function of the training center is the coordination of basic and advanced training courses for all law enforcement in North Dakota within the guidelines established by the Peace Officer Standards and Training Board.

In 2002, 57 training courses were held at the training center for 1,004 students. A total of 85 new officers from various agencies satisfactorily met the minimum training requirements to serve as a peace officer in North Dakota. An additional 50 persons received training to serve as correctional officers and 10 troopers completed the Highway Patrol Recruit Academy.

Deanna G. Ball
Operator's Signature

10/30/03
Date

Information Technology

Electronic Citations

Last summer the Highway Patrol began pilot testing an electronic citation system with officers in the Grand Forks and Jamestown districts. The application was designed as a module within our Case Management System and involves entry of traffic citation information into the database via the Mobile Data Communications System.

A vehicle printer is used to print the copy that is given to the person being cited. The next step of the project involves completing the electronic transfer of citations to the state court system and the Department of Transportation.

E-Permits

In response to the growing trend of E-government, the Highway Patrol initiated an on-line permitting application to provide individuals and trucking companies another way to purchase permits. The first phase of E-permits was deployed late last year and included the following permit types:

- 10 Percent Weight Exemption
- Resident Custom Combine
- 72 Hour Trip (vehicle registration fee)
- Fuel
- Long Combination Vehicle (LCV)

Since the website access was turned on last month, 162 permits have been sold on-line generating \$13,990 in revenue. State ITD is expected to begin software development of Phase II of E-permits later this spring.

Mobile Data Phase II

Procurement and implementation of the North Dakota Mobile Data Communication System Phase II was completed early last year. Phase II consisted of equipping 20 additional patrol vehicles with mobile data. State Radio's portion of the project included upgrading five additional tower sites for data communications. The state system now consists of 15 tower sites that provide coverage to about two-thirds of the state. A total of 98 Highway Patrol vehicles are equipped with the technology. Many other agencies have benefited from this development and have implemented mobile data communications within their agencies.

Mobile data communications gives patrol officers the ability to check the FBI's National Crime Information Center (NCIC) for wants and warrants within seconds. Nationwide driver license and vehicle registration information can also be obtained directly instead of going through dispatch personnel. Car to car and car to office messaging as well as

direct entry of daily activity and arrest reports improves data handling and greatly reduces the need for data entry personnel.

Accreditation

The North Dakota Highway Patrol is a nationally accredited law enforcement agency that meets or exceeds the high standards that the Commission on Accreditation for Law Enforcement Agencies (CALEA) has set for law enforcement. We feel that it is vital that an independent agency such as CALEA periodically reviews our department to ensure that the expectations of the citizens of North Dakota are met with the highest quality of service we can provide and that they deserve.

Nationally, accreditation membership has been on the increase, currently 24 percent of all law enforcement personnel belong to an accredited agency. Of this percentage, 80 percent belong to agencies that employ less than 300 people. We have also seen an increase in the number of state agencies seeking accreditation; currently 15 state police, highway patrol and department of public safety agencies are accredited, and an additional 5 have signed contracts since 2000 and are seeking accreditation.

The North Dakota Highway Patrol will be up for re-accreditation in July of 2003. This will be our fourth re-accreditation since 1989 when we were first accredited. Last fall we conducted a mock assessment of our agency where we had assessors from other state agencies review our files, conduct interviews with agency personnel, and rode with a number of our troopers from around the state. In their exit interview they commented a number of times on the professionalism of all personnel and held our agency in high esteem. Staff Sergeant Al Marint from the Illinois State Police (assessor) paid us the following compliment **"the officers I spoke to thought highly of management; they were obviously well trained and professional. I would work for your agency in a heartbeat."** The actual accreditation on-site will be held this April and we are working hard to ensure that we will be re-accredited this summer.

The North Dakota Highway Patrol and the Bismarck Police Departments are the only two North Dakota agencies to achieve status as a nationally accredited agency.

Service Activities

Following the terrorist attacks of September 11, troopers statewide were called upon to provide additional security details to insure that the citizens, as well as the interests of North Dakota were protected. In the last biennium, troopers in the field logged **412** hours toward security details. In the first **18 months** of this biennium, troopers logged **2,607 hours toward security details**. These security details included:

- Providing 24-hour security for the Garrison Dam.
- Providing high visibility patrol at both the Grand Forks Air Force Base and the Minot Air Force Base (at the request of the military).
- Providing high visibility patrol near our state's missile sites.
- Providing air surveillance along our northern border.

- Providing increased security at our state's Capitol.
- Conducted 386 hazardous materials site visits.
- And, at the same time, stressing high visibility during our normal duties.

Recognizing the need for our citizens to become involved in our security efforts, our agency developed 'border meetings' in each of the eight counties bordering Canada. The purpose of these meetings was to develop a communication network between local residents and law enforcement officials. Citizens attending the meetings were asked to report any suspicious activities along the border to their local law enforcement agencies.

As the threat of anthrax surfaced in various parts of our nation, North Dakota citizens began to report suspicious packages to their local law enforcement officials. The Patrol, in close cooperation with the State Health Department, agreed to transport all suspected contaminated articles to Bismarck for testing. While these types of calls continue, our troopers to date have provided for 61 transports since the initial threat occurred.

At the request of the Governor, the Patrol, serving as the functional coordinating agency for public safety, was directed to take a lead role in the development of a statewide **Amber Alert Plan**, a plan which reflects North Dakota's commitment to the safety of its citizens, especially its youth. Through the cooperative efforts of numerous agencies, I am proud to announce that after a statewide test of the Amber Alert plan was successfully conducted on February 6, 2003, the plan is now fully implemented and operational. The communications network that the 'Amber Alert' plan brings between law enforcement and the citizens of North Dakota will help to insure that all of our children remain safe.

During the past biennium, the Patrol has continued to provide the service that the citizens of North Dakota have come to expect. Our troopers, whether it was changing a flat tire or providing a warm vehicle to sit in until a wrecker could arrive, provided 10,744 highway assists to the citizens traveling our highways.

And our assistance extends beyond our borders as well. Recently, Nebraska authorities broadcast an attempt to locate on a kidnapping suspect possibly traveling through North Dakota. Kidnapped were three children ages 3, 1, and 3 months that had been taken by their mother. Troopers, monitoring the call for assistance, observed the vehicle traveling northbound on I-29 near Hillsboro. A stop was initiated and the suspect taken into custody. The three children were returned to Nebraska unharmed, and the mother is awaiting extradition to Nebraska.

Drug and alcohol violations have continued to be a priority for our agency. During 2001, nearly 45 percent of all arrests in North Dakota were for either drug or alcohol violations, with alcohol accounting for nearly 40 percent by itself. Alcohol arrests in North Dakota averaged 32 per day, every day, for the entire year. The number of alcohol related deaths during each of the past two years has remained near the 43 percent range.

Recognizing the need for a strong education and enforcement effort regarding drinking and driving, the patrol has continued to perform sobriety checkpoints. Through a strong media campaign and an approval rating of over **90 percent** by our citizens, the Patrol conducted **54 sobriety** checkpoints during the past biennium and is looking to increase that number during the 2003-05 biennium.

Drug arrests have been occurring on a regular basis as well. During the past year (2002), troopers statewide investigated **395 cases involving drugs**; an average of over **one per day**. One such arrest involved a subject who was stopped for a routine traffic violation near Harvey, North Dakota. The trooper, observing a hole cut between the backrest of the backseat and the trunk of the vehicle, searched the vehicle and found over **25 pounds** of marijuana located in the trunk.

Budget Summary

The NDHP's 03-05 biennium budget request provides for:

- Eight field districts
- Law Enforcement Training Center
- Three weigh/inspection facilities -- reduction of 4 from current operations
- 181 FTEs (2002-2003 -- 196 FTEs)
- Reduction of 26 state funded FTEs
- Increase of 11 federal funded FTEs with the Motor Carrier Safety Assistance Program (MCSAP)
- Net reduction of 15 FTEs from the current budget
- FTE breakdown
 - 135 officers
 - 8 are MCSAP officers
 - 8 MCSAP assistants
 - 9 weigh/inspection employees
 - 29 civilian support staff

Anticipated Performance Results:

- 310,000 hours of road patrol
- 7 million miles of road patrol
- 8,000 crashes investigated
- 25,000 highway assists to motorists
- Approximately 5 million in highway user fee collections for the state of North Dakota
- 138,000 officer hours of training at the Law Enforcement Training Center
- 24,000 hours of community policing activities
- Reduction in traffic fatalities through high visibility enforcement efforts and increased use of sobriety checkpoints
- Continued development of E-permits

Conclusion

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

1. We are uniformed state employees.
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 we serve.

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-second decisions, and we work odd hours.

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.

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 crucial for the state's success. For example: road construction, blizzard, road closures, and most recently 9-11, grass fires, anthrax threats, etc.

Our lives were changed forever since that fateful day in September and has proven to all of us how small the world really is. What we do in North Dakota or what others do in New York, all public safety workers like us, make a difference. The geographic location may change but the demands, the expectations, and the results are the same. We are on the front line everyday "doing whatever it takes" to protect those in need.

These are not times for the selfish, the weak minded, the non committed, or those who would give less than 100 percent. These are times for those in law enforcement who are strong minded, well focused, and dedicated to the public welfare, putting their needs ahead of personal gain — that's the North Dakota Highway Patrol.

Thanks in part to your support we are well trained and well equipped, both mentally and physically, to perform. We can and will push on because we have so many past successes showing us the way.

The year I joined the Highway Patrol, or rather the year I was selected to be a member, we killed 208 people on our highways. If we had continued at that rate, over 2,500 more

North Dakotans would have died since then – one of those 2,500 lives saved may have been yours or a member of your family.

I recently started my thirtieth year as a state trooper and eleventh year as Superintendent. An example of one thing I am most proud of is that during the last 50 years we had only 11 years when less than 100 people were killed on our roads. Nine of those or 81 percent of those occurred in the last twelve, or since 1991. We are making great progress.

In closing, I believe public safety is a feeling of being safe and having confidence in our law enforcement officers.

- In a blizzard that feeling comes from motorists seeing Highway Patrol cars and knowing they and their families are not alone out there.
- During a disaster the public sees troopers helping out side by side with those affected.
- When a woman with young children is stalled along the road late at night, frightened and wondering what to do and a Highway Patrol trooper rolls up to help.
- At an accident scene when people are injured, lying in ditches and all they hear is sirens, they look up and catch a glimpse of a patrol car with the familiar image of Sioux Warrior Red Tomahawk and North Dakota State Patrol that they know, but mostly they feel, that now everything will be all right – the troopers are here.

That's how I want you and all North Dakotans to feel.

Yes, I truly believe public safety is more about a feeling people have of being safe than objective numbers or statistics. I believe the people of North Dakota have a good feeling and great confidence in the North Dakota State Patrol. I know you feel that way too!

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

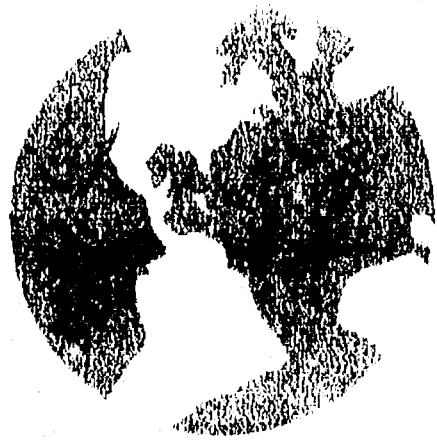
39-03-09. Powers of highway patrol. The superintendent and each member of the highway patrol shall have the power:

1. Of a peace officer for the purpose of enforcing the provisions of this title relating to operators' licenses, the provisions of title 24 relating to highways, and of any other law regulating the operation of vehicles or the use of the highways, and in addition the highway patrol shall enforce all laws relating to the use or presence of alcoholic beverages in motor vehicles.
2. To make arrests upon view and without warrant for any violation committed in the person's presence of any of the provisions of this title relating to operators' licenses, or of title 24 relating to highways or to other laws regulating the operation of vehicles or the use of the highways.
3. To direct traffic in conformance with law, or, in case of fire or emergency and to expedite traffic, or, to ensure safety by directing traffic as conditions may require notwithstanding the provisions of law.
4. To facilitate compliance with the provisions of this title, to require the driver of a vehicle to stop and exhibit the driver's operator's license and the registration cards issued for the vehicle, if any are required, and to submit to an inspection and test of the equipment of such vehicle.
5. For the purpose of locating stolen vehicles and to investigate the title and registration thereof, to inspect any vehicle of a type required to be registered under the provisions of this title, in any public garage or repair shop, or in any place where such vehicles are held for sale or wrecking.
6. To serve all warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways.
7. To investigate traffic accidents and secure testimony of witnesses or of persons involved.
8. To investigate reported thefts of motor vehicles, trailers, or semitrailers.
9. To take applications for operators' licenses without making a charge therefor.
10. To enforce all laws, rules, or regulations of the state of North Dakota pertaining to the closing hours of all businesses or establishments selling alcoholic beverages outside the limits of incorporated cities of this state.
11. To exercise general police powers over all violations of law committed on state property.
12. To exercise general police powers over all violations of law committed in their presence upon any highway and within the highway right of way or when in pursuit of any actual or suspected law violator.
13. To require a motor carrier owner, or a motor carrier's agent, affected by rules adopted under chapter 39-21 to produce logs or other documents to determine compliance with rules adopted under chapter 39-21.
14. To provide security and protection for the governor, the governor's immediate family, and other officers next in order of succession to the office of governor to the extent and in a manner the governor and the superintendent deem adequate and appropriate.
15. To provide security and protection for both houses of the legislative assembly while in session as in the opinion of the speaker of the house, the president of the senate, and the superintendent are deemed adequate and appropriate.
16. Of a peace officer when responding to a request for emergency assistance requiring an immediate response regardless of whether the request is being made by another law enforcement agency or officer.

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Deanna Ballantyne
Operator's Signature

10/30/03
Date



Black Hills Trucking Inc.

January 16, 2003

Honorable Stanley Lyson
State Senator
Bismarck N.D.

Dear Stan:

I am writing this letter to urge you to support keeping the ports of entry in western ND open,

specifically the Williston and Bowman ports. These ports provide a valuable service to the oil and gas industry in that we are able to get authorization for permits to haul loads which exceed self-issuing limits, and purchase ton-mile permits during spring road restriction time on a 7 day a week, 24 hour a day basis. If these ports are closed, we will be limited to getting these authorizations thru the district engineer, the office in Bismarck, or by hunting down a trooper if it is after (office) hours. These options simply will not meet our customers need for service when transporting drilling rigs in North Dakota.

I would be more than happy to visit with you on this issue. Thank you for the opportunity to express our concern. I may be reached at 1-800-437-8080.

Sincerely, Marlin Hanson

Terminal Supt. Blackhills Trucking Inc
Williston ND

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Donna Ball
Operator's Signature

10/30/03
Date

HB 1011

4-22-03

Scale Vehicle Counts

	2001	2002	2001-2002 Total
Ellendale	21,224	21,596	42,820
Bowman	53,855	54,478	108,333
Williston	78,515	70,872	149,387
Beach	105,796	91,425	197,221
Joliette	158,307	163,956	322,263
Mooreton North and Southbound	176,537	169,923	346,460
Fargo	173,715	193,260	366,975

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Operator's Signature

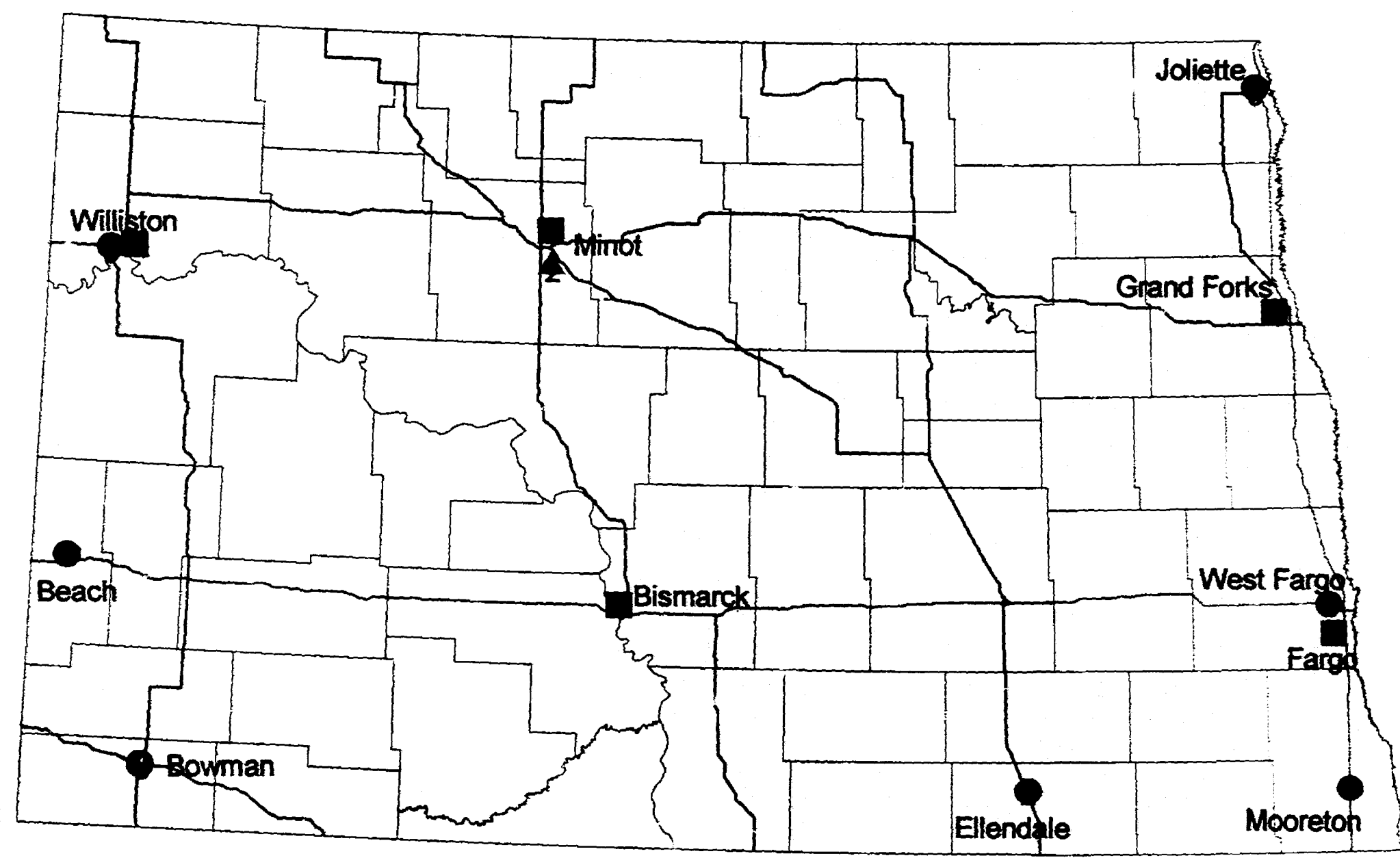
Deanna Ballantyne

10/30/03

Date

Exhibit #
2







- Current Scale Location and Number of Personnel
- Current MCSAP (Motor Carrier Safety Assistance Program) Troopers
- ▲ Scale Closed. Mobile Inspection Team Personnel

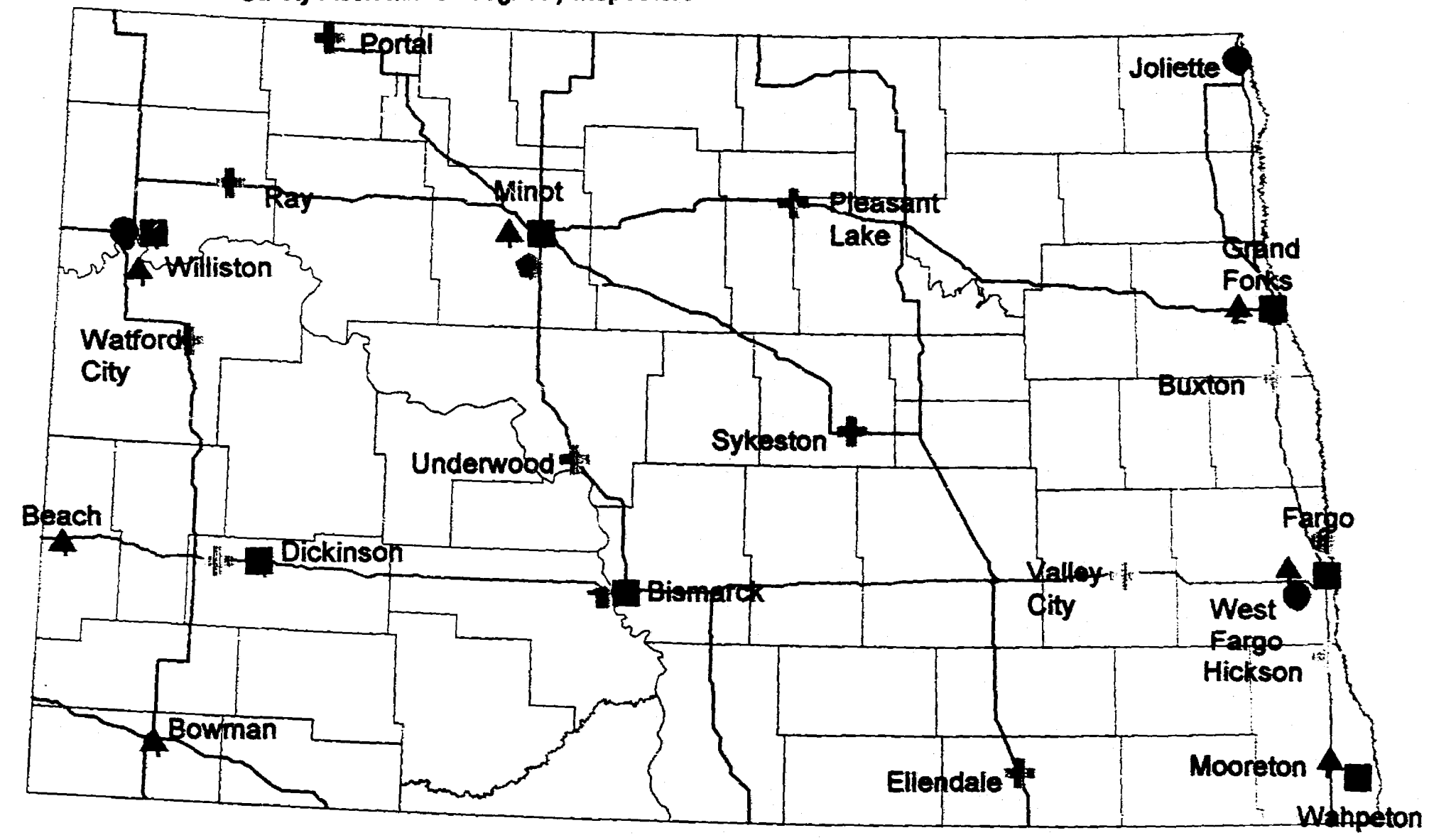


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Operator's Signature: *[Signature]*
Date: 10/30/03

Exhibit #
2

-  Proposed WIMs (Weigh in Motion) locations. (DOT)
-  Proposed Scale locations and number of personnel
-  Proposed MCSAP (Motor Carrier Safety Assistance Program) Troopers
-  Proposed MCSAP (Motor Carrier Safety Assistance Program) Inspectors
-  Proposed New Entrant Safety Audit Inspector
-  Permits Section



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Operator's signature Deanna Schubert Date 10/30/03

WEIGH STATION REVENUE: RECEIPT PERMITS JULY 1, 01 - JUNE 30, 02

Fiscal Year

Location	Trip	MV Fees	Fuel	Road Restriction Ton Mile	Overloads	Oversize Single Trip	Annual	30 Day	Totals
Beach	7,420.00	5,326.00	5,790.00	70.00	7,019.00	39,660.00	3,700.00	300.00	\$ 69,285.00
Bowman	4,940.00	42,973.80	4,995.00	1,592.00	4,157.00	12,490.00	3,415.00	4,750.00	\$ 79,312.80
Williston	5,300.00	36,601.50	7,440.00	18,164.00	13,293.00	22,176.00	2,935.00	23,300.00	\$ 129,209.50
Minot	4,500.00	10,023.85	3,525.00	6,300.00	12,055.60	14,120.00	1,330.00	43,000.00	\$ 94,856.45
Ellendale	3,520.00	14,950.50	2,265.00	346.00	2,229.00	6,025.00	715.00	4,000.00	\$ 34,050.50
Joliette	9,180.00	29,865.35	4,260.00	-	20,144.60	23,985.00	1,080.00	27,000.00	\$ 115,514.95
Fargo	10,080.00	7,760.00	4,320.00	3,232.00	19,937.30	67,375.00	805.00	13,000.00	\$ 127,009.30
Mooreto	5,880.00	8,923.25	3,285.00	366.00	3,543.20	22,045.00	2,285.00	16,100.00	\$ 62,427.45
TOTAL	\$50,820.00	\$156,426.25	\$ 35,880.00	\$30,070.00	\$ 82,378.70	\$208,376.00	\$16,265.00	\$131,450.00	\$ 711,665.95

455747
w/o Minot
Ellendale

WEIGH STATION REVENUE: RECEIPT PERMITS JULY 1, 00 - JUNE 30, 01

Fiscal Year

Location	Trip	MV Fees	Fuel	Road Restriction Ton Mile	Overloads	Oversize Single Trip	Annual	30 Day	Totals
Beach	8,740.00	6,243.00	7,155.00	1,732.00	11,050.00	34,810.00	3,700.00	950.00	\$ 74,380.00
Bowman	4,540.00	52,646.82	4,935.00	3,036.00	1,792.00	11,340.00	5,730.00	3,000.00	\$ 87,019.82
Williston	5,980.00	34,661.25	8,160.00	38,427.00	13,909.60	24,830.00	3,185.00	32,100.00	\$161,252.85
Minot	3,820.00	6,878.00	2,565.00	10,551.15	14,753.87	12,945.00	1,390.00	35,600.00	\$ 88,503.02
Ellendale	2,500.00	13,157.55	1,905.00	628.00	1,173.80	5,100.00	1,260.00	4,250.00	\$ 29,974.35
Joliette	2,220.00	38,197.69	5,595.00	348.00	20,277.20	19,455.00	1,525.00	36,000.00	\$123,617.89
Fargo	9,400.00	8,244.00	3,780.00	23,008.00	13,234.80	120,706.00	710.00	16,250.00	\$195,332.80
Mooreto	5,480.00	3,714.00	2,820.00	624.00	2,836.40	15,885.00	2,475.00	18,250.00	\$ 52,084.40
TOTAL	\$42,680.00	\$163,742.31	\$36,915.00	\$78,354.15	\$79,027.67	\$245,071.00	\$19,975.00	\$146,400.00	\$812,165.13

693697
w/o Minot
Ellendale

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Operator's Signature

10/30/03
Date

WE STATION REVENUE: RECEIPT PERMITS CALENDAR YEAR 2001

Location	Trip	MV Fees	Fuel	Road Restriction Ton Mile	Overloads	Oversize Single Trip	Annual	30 Day	Totals
Beach	8,220.00	6,313.00	7,335.00	1,802.00	9,476.00	36,595.00	3,950.00	600.00	\$ 74,291.00
Bowman	4,760.00	62,840.37	5,340.00	3,036.00	3,861.00	12,035.00	4,530.00	4,100.00	\$100,502.37
Williston	5,740.00	34,418.75	7,905.00	38,427.00	16,848.40	26,765.00	3,170.00	25,650.00	\$158,924.15
Minot	4,280.00	6,709.85	3,180.00	10,478.00	12,909.00	12,775.00	1,705.00	37,550.00	\$ 89,586.85
Ellendale	3,000.00	10,611.90	1,800.00	628.00	1,132.80	4,655.00	1,180.00	2,400.00	\$ 25,407.70
Joliette	6,900.00	54,984.03	5,235.00	348.00	20,593.80	21,720.00	1,630.00	29,300.00	\$140,710.83
Fargo	8,100.00	6,637.00	2,970.00	23,008.00	11,135.40	109,496.00	645.00	9,900.00	\$171,891.40
Mooreto	5,700.00	7,968.25	3,285.00	624.00	2,927.20	18,840.00	2,390.00	17,400.00	\$ 59,134.45
TOTAL	\$46,700.00	\$190,483.15	\$37,050.00	\$78,351.00	\$78,883.60	\$242,881.00	\$19,200.00	\$126,900.00	\$820,448.75

5
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NEIGH STATION REVENUE: RECEIPT PERMITS JULY 1, 99 - JUNE 30, 00 *Fiscal Year*

Location	Trip	MV Fees	Fuel	Road Restriction Ton Mile	Overloads	Oversize Single Trip	Annual	30 Day	Totals
Beach	8,440.00	6,285.00	3,300.00	258.00	9,156.80	28,525.00	350.00	500.00	\$ 56,814.80
Bowman	3,840.00	34,228.15	2,790.00	1,405.00	1,278.00	7,430.00	1,465.00	2,770.00	\$ 55,206.15
Williston	4,840.00	30,788.50	5,625.00	17,443.00	13,697.60	24,605.00	1,825.00	28,600.00	\$127,424.10
Minot	3,820.00	7,788.00	2,130.00	4,405.00	4,703.45	14,315.00	830.00	26,200.00	\$ 64,191.45
Ellendale	3,100.00	9,436.25	2,100.00	152.00	1,457.00	3,895.00	365.00	2,400.00	\$ 22,905.25
Joliette	2,500.00	37,374.62	4,800.00	412.00	21,393.10	19,410.00	750.00	41,400.00	\$128,039.72
Fargo	9,380.00	7,755.00	3,980.00	8,402.40	12,783.00	88,736.40	1,095.00	17,050.00	\$149,181.80
Mooreto	6,100.00	7,521.00	3,090.00	807.00	7,378.40	19,660.00	2,000.00	17,650.00	\$ 64,206.40
TOTAL	\$ 42,020.00	\$ 141,176.52	\$ 27,815.00	\$ 33,284.40	\$ 71,847.35	\$ 206,576.40	\$8,680.00	\$136,570.00	\$667,969.67

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Operator's Signature

Donna J. Smith

10/30/03
Date



Governor
John Hoeven

North Dakota Highway Patrol

State Capitol, 600 E Boulevard Ave. Dept. 504

Bismarck, ND 58505-0240

Phone: 701-328-2455

Fax: 701-328-1717

E-mail: ndhpinfo@state.nd.us

Website: <http://www.state.nd.us/ndhp>

Discovernd.com



Colonel
James M. Hughes

January 17, 2003

Representative Ron Carlisle, Chairman
Government Operations Division
ND House of Representatives
Appropriations Committee
Bismarck, ND 58505

Dear Representative Carlisle:

Based on recent information obtained from the U.S. Department of Transportation, the Highway Patrol respectfully requests authorization for two additional FTEs in the 2003-2005 budget. Additional costs of \$180,000 are estimated. If approved, the positions would be 100 percent federally reimbursable by the USDOT's Federal Motor Carrier Safety Administration.

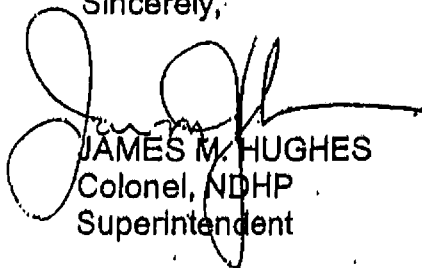
The "New Entrant Program" is the result of the Motor Carrier Safety Improvement Act of 1999. The Act required the Secretary of Transportation to establish regulations specifying minimum requirements for applicant motor carriers seeking federal interstate operating authority including a requirement that new entrants undergo a safety audit within the first 18 months of operations. The purpose of the Safety Audit is to provide educational and technical assistance to the new entrant and gather safety data needed to make an assessment of the new entrant's safety performance and adequacy of its basic safety management controls.

The Federal Motor Carrier Safety Administration is contracting with the states to assist with these audits. North Dakota is authorized two positions based on the number of new entrants seeking authority; the average for the last five years was 289 new entrants per year. Funding for the two positions will be 100 percent federal dollars and will not affect our current Motor Carrier Safety Assistance Program.

The effect of these requested changes to HB 1011 would be as follows:


- An increase in line 9 of \$180,000 to \$30,364,984
- An increase in line 12 of \$180,000 to \$14,653,199

Sincerely,


JAMES M. HUGHES
Colonel, NDHP
Superintendent

jmh/ges
c/Joe Morrisette, OMB
Allen Knudson, Legislative Council

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Operator's Signature

10/30/03
Date



Governor
John Hoeven

North Dakota Highway Patrol

State Capitol, 600 E Boulevard Ave. Dept. 504

Bismarck, ND 58505-0240

Phone: 701-328-2455

Fax: 701-328-1717

E-mail: ndhpinfo@state.nd.us

Website: <http://www.state.nd.us/ndhp>

Discovernd.com

January 17, 2003



Colonel
James M. Hughes

Representative Ron Carlisle, Chairman
Government Operations Division
ND House of Representatives
Appropriations Committee
Bismarck, ND 58505

Dear Representative Carlisle:

Attached is the documentation requested by Representative Eliot Glassheim regarding the cost comparison between current NDHP motor carrier operations and costs included in 2003-2005 budget request.

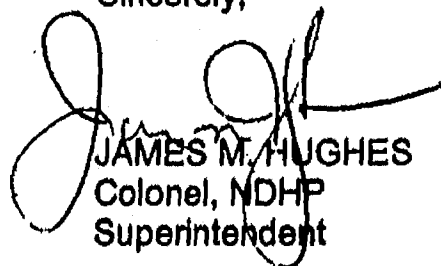
In addition, the benefits of closing four of the seven weigh/inspection stations include:

- Cost savings
- Expanded use of mobile teams (by using existing inspectors)
- Expedited commercial vehicle traffic due to a reduction in the number of routine stops
- Concentration of resources on problem areas rather than a general approach
- Maximum flexibility
- Job enrichment and diversity for employees
- Closure provides for maintaining existing fixed sites to be utilized on an occasional basis by the mobile teams which will assist with continuing a level of deterrence

Although the reduction of 15 employees and the services they provide is difficult, the deployment of E-permits and the additional employee added to the headquarters permit office will provide for adequate access for purchasing permits.

If you need additional information or clarification, please don't hesitate to contact me.

Sincerely,


JAMES M. HUGHES
Colonel, NDHP
Superintendent

jmh/ges
Attachment
c/Joe Morrisette, OMB
/Allen Knudson, Legislative Council

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Date

The following budget figures show a cost comparison of current and proposed motor carrier operations:

Motor Carrier Operations -- 2003-2005 Biennium --

Total Funds -- Description	Existing Operations 7 Sites	Executive Recommendation 3 Sites	Inc(Dec)	% Inc(Dec)
Salaries and Wages	3,885,952	2,685,645	(1,200,307)	-30.89%
Operating Expenses	471,000	575,120	104,120	22.11%
Equipment	30,000	96,000	66,000	220.00%
Capital Improvements	25,000	25,000	0	0.00%
Grants	0	0	0	0.00%
Totals	4,411,952	3,381,765	(1,030,187)	-23.35%

Motor Carrier Operations --

Federal Funds -- Description	Existing Operations 7 Sites	Executive Recommendation 3 Sites	Inc(Dec)	% Inc(Dec)
Salaries and Wages	1,115,982	1,295,632	179,650	16.10%
Operating Expenses	209,000	327,530	118,530	56.71%
Equipment	16,000	68,800	52,800	330.00%
Capital Improvements	0	0	0	0.00%
Grants	0	0	0	0.00%
Totals	1,340,982	1,691,962	350,980	26.17%

Motor Carrier Operations --

State Funds -- Description	Existing Operations 7 Sites	Executive Recommendation 3 Sites	Inc(Dec)	% Inc(Dec)
Salaries and Wages	2,759,970	1,390,013	(1,379,957)	-49.82%
Operating Expenses	262,000	247,590	(14,410)	-5.50%
Equipment	14,000	27,200	13,200	94.29%
Capital Improvements	25,000	25,000	0	0.00%
Grants	0	0	0	0.00%
Totals	3,070,970	1,689,803	(1,381,167)	-44.97%

Showing
in
State funds

Existing Operations

- 7 current weigh/inspection stations
- 36 motor carrier inspectors
- 3 permit office positions
- 1 director (80 percent federally funded)
- 5 MCSAP troopers (80 percent federally funded)

2003-2005 Executive Recommendation

- 3 weigh/inspection stations
- 9 motor carrier inspectors
- 4 permit office positions
- 1 director (80 percent federally funded)
- 8 MCSAP troopers (80 percent federally funded)
- 8 MCSAP assistants (80 percent federally funded)

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Operator's Signature

Date



Governor
John Hoeven

North Dakota Highway Patrol

State Capitol, 600 E Boulevard Ave. Dept. 504
Bismarck, ND 58505-0240
Phone: 701-328-2455
Fax: 701-328-1717
E-mail: ndhpinfo@state.nd.us
Website: <http://www.state.nd.us/ndhp>
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Colonel
James M. Hughes

January 30, 2003

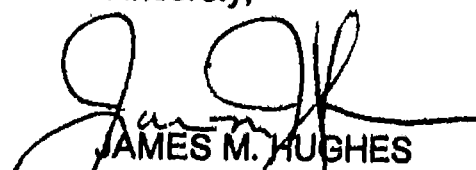
Representative Ron Carlisle, Chairman
Government Operations Division
ND House of Representatives
Appropriations Committee
Bismarck, ND 58505

Dear Representative Carlisle:

Attached is a breakdown of our information technology budget for the 2003-2005
biennium.

If you need additional information or clarification, please don't hesitate to contact me.

Sincerely,


JAMES M. HUGHES
Colonel, NDHP
Superintendent

Jmh/ges
Attachment
c/Joe Morrisette, OMB
/Allen Knudson, Legislative Council

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10/30/03
Date

NDHP Information Technology Budget 2003 - 2005 Biennium

Category	Description	Cost
IT Data Processing		
*Fees to ITD		
Records Mgmt. Fee	Monthly Charges for Records Management \$185/mo	\$4,440.00
Application Server Hosting	Hosting of 4 Client Server Systems on Solaris Server per Month Charge	\$84,000.00
Server Room	Hosting of 2 HP Servers in Controlled Environment	\$1,680.00
Dial-up UserID	As Needed	\$2,520.00
Dial-up Long Distance	As Needed	\$4,236.00
Dedicated T-1	Connection for 9 of 12 locations to all NDHP Systems	\$181,440.00
Device Connections	Connections for all networked NDHP Computers Includes Capital Complex	\$48,024.00
System Analyst	Estimated maintenance totals for 4 current Client Server Systems: Daily Activity System 20hrs, CaseManagement System 25hrs, Citation System 30hrs, Receipts 15hrs	\$5,220.00
Programming	Estimated maintenance totals for 4 current Client Server Systems: Daily Activity System 150hrs, CaseManagement System 200hrs, Citation System 300hrs, Receipts 150hrs	\$43,200.00
E-Permits Ongoing Costs - Phase I	Charge for Web Hosting, and LDAP Users - **Monthly total based on ITD's Cost Estimate \$500	\$12,000.00
IBM Mainframe	Charges for Inventory, DL & MV Checks	\$11,240.00
Special Project - Epermits Phase I	Programming fees for additional Oversize permits - Estimated Costs	\$20,000.00
Total IT Data Processing		\$418,000.00
IT Software		\$15,000.00
IT Repairs	MDC Maintenance Contract	\$45,000.00
IT Equipment under \$5000		
	15 Computers for Office Staff	\$30,000.00
	Replacement Laptops for 26 Phase I MDCs	\$107,000.00
	3 New MDC's for additional troopers	\$33,000.00
Total IT Equipment under \$5000		\$170,000.00
Telephone Billings		
	State-wide telephone and long distance service	\$110,000.00
	State-wide Cellular Charges	\$30,000.00
Total Telephone Billings		\$140,000.00
Total IT Request		\$788,000.00

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Operator's Signature

Date

10/30/03



Governor
John Hoeven

North Dakota Highway Patrol

State Capitol, 600 E Boulevard Ave. Dept. 504

Bismarck, ND 58505-0240

Phone: 701-328-2455

Fax: 701-328-1717

E-mail: ndhpinfo@state.nd.us

Website: <http://www.state.nd.us/ndhp>
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Colonel
James M. Hughes

January 27, 2003


Representative Ron Carlisle, Chairman
Government Operations Division
ND House of Representatives
Appropriations Committee
Bismarck, ND 58505

Dear Representative Carlisle:

Attached is the documentation requested by Representative Mike Timm regarding the Highway Patrol's federal grant agreements which have been in effect during the 2001-2003 biennium. The amounts listed are federal share only.

If you need additional information or clarification, please don't hesitate to contact me.

Sincerely,


JAMES M. HUGHES
Colonel, NDHP
Superintendent

jmh/ges
Attachment
c/Joe Morrisette, OMB
/Allen Knudson, Legislative Council

An Internationally Accredited Law Enforcement Agency Providing Professional Service

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10/30/03
Date

Federal Agreements, 2001-2003 Biennium:

Regular MCSAP --	Total Federal Agreements
Totals	2,374,000

Grants Line Item -- MCSAP	Total Federal Agreements
Description	
ASPEN #2	250,000
Query central	1,399,000
ITS	80,000
ASPEN #3	1,362,000
Totals	3,091,000

Grants Line Item -- DHS	Total Federal Agreements
Description	
Grants-to-locals	250,000
Juvenile Drug Court	65,000
Totals	315,000

DHS Other Programs --	Total Federal Agreements
Underage drinking media	78,000
Preventive Services	79,000
Underage drinking	218,000
Totals	375,000

DOT & DOJ Programs --	Total Federal Agreements
Dept of Transportation:	
DOT radars	82,000
DOT equip less than \$750	5,000
DOT other equipment	62,000
Seat belt OT	215,000
Construction zone OT	84,000
SCP/ASAT OT	100,000
Dept of Justice:	
UD Mobile videos	250,000
Homeland security equip	40,000
Totals	838,000

	Total Federal Agreements
Totals	6,993,000

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Deanna Ballar
Operator's Signature

10/30/03
Date

39621

HB 1011
Prepared by the North Dakota Legislative Council
staff for Representative Timm
February 2003

HIGHWAY PATROL - MOTOR POOL RATES AND FUNDING

The 2003-05 executive budget includes funding of \$3,712,000, \$2,613,000 of which is from the general fund, \$825,000 from the highway tax distribution fund, and \$274,000 of federal funds for motor pool costs of the Highway Patrol. This amount is based on total estimated miles of 7,004,000 for the 2003-05 biennium at an anticipated rate based on Fleet Services guidelines of \$.53 per mile. For the 2001-03 biennium the Highway Patrol budget was approved on an anticipated motor pool rate based on Fleet Services guidelines of \$.50 per mile. Actual motor pool rates for the 2001-03 biennium to date have been:

July 2001	\$.50 per mile
August 2001 - November 2001	\$.46 per mile
December 2001 - February 2002	\$.44 per mile
March 2002 - July 2002	\$.43 per mile
August 2002 - December 2002	\$.42 per mile
January 2003	\$.39 per mile

Copies of Fleet Services current rental rates and the guidelines used for developing agency budgets are attached. Representatives of Fleet Services indicated that the current rates may be lower than actual costs for this time period due to reserves accumulated in earlier months of this biennium. The 2003-05 biennium guidelines are based on the rack price of gasoline being at a level that would result in the retail gasoline price being \$2.00 per gallon.

ATTACH:1

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Deanna G. Ball
Operator's Signature

10/30/03
Date

State Fleet Services

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State Fleet Rental Rates

RENTAL RATES
Rates are effective January 1, 2003

DESCRIPTION	GROUP NO.	OPERATING RATE	DEPRECIATION RATE	REPLACEMENT RATE	MPH/HOUR RATE
Mini Pass. Van	1	.105	.210	.075	.390
Sedan/Wagon	2	.08	.130	.040	.250
Light Pickup/Cargo Van	3	.140	.180	.120	.440
Heavy Pickup/Cargo Van	4	.232	.183	.035	.450
High Mile - Heavy Pickup	6	.130	.120	.100	.350
Highway Patrol	7	.142	.233	.015	.390
12-15 Pass. Vans	8	.161	.219	.035	.415
Game Enforcement/Special	9	.104	.136	.010	.250
Facility Service Vehicle	12	.345	.325	.350	1.020
Compact Utility/All	13	.113	.192	.055	.360
Suburban/Full-size Utility/All	14	.153	.192	.005	.350
Pickup Diesel - Heavy Tow	15	.145	.065	.190	.400
Miscellaneous Truck	18	14.040	7.810	.650	22.500
Distributor/Garbage Truck	19	9.950	9.500		19.450
Sign Truck	20	7.460	5.540		13.000
Single Axle Truck/All	21	13.160	2.690	1.150	17.000
Tandem Axle Truck/All	22	15.450	5.370	16.180	37.000
Truck Tractor	23	19.500	5.100		24.600
Rotary Snowplow	24	54.000	6.000		60.000
Snowplow Truck/AWD	25	46.000			46.000
Motor Coach	26	29.200	8.900	5.900	44.000
Mid-size Bus	28	10.750	8.350	6.900	26.000
Lineworker Truck	29	1.500	23.050	8.450	33.000
Shuttle Bus	30	5.000	6.230	6.770	18.000
Fuel Truck	31	2.750	0.650	0.550	3.950
Drill Truck	32	1.500	19.700	55.800	77.000

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Operator's Signature Deanna J. Johnson Date 10/30/03



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State Fleet Budget Guidelines Memo

BUDGET GUIDELINES Memo

2003-2005 Biennium

MEMO TO: All State Agencies/Institutions

FROM: Paul R. Feyerisen, State Fleet Services Director

DATE: April 4, 2002

SUBJECT: State Fleet Services 2003-2005 Biennium Budget Guidelines
State Fleet Services budget guidelines for the 2003-2005 biennium are attached:
The mileage/hourly rates consist of two components: Operating costs and depreciation.

- a. Operating costs include parts, fuel, insurance, labor, shop overhead, and administration.
- b. Depreciation is the actual cost, less salvage value of the fleet, spread over the estimated useful life of the vehicle.

The replacement rate is the difference between what is needed to purchase new vehicles, and the amount that is recovered through the depreciation portion of the rate. Because this rate is to fund replacement costs, it cannot be charged to federal programs. The replacement rate also funds additional vehicle needs. Agencies are to budget the total of the mileage/hour rate, and the replacement rate. The funding source for the replacement rate must be either general or special funds.

Fuel costs and commercial repairs and labor continue to increase at an accelerated pace. Insurance costs are new this biennium and will continue next biennium.

The attached budget guidelines reflect our best estimate of potential costs for the next biennium. Many factors can increase or decrease the rental rates. It is hoped the forecast is relatively accurate.

All agencies anticipating increases in monthly rentals must identify in writing the number of units, and which rental group will be affected. If no increases are identified, we presume there will be no increases the next biennium.

Each agency/institution's mileage may be determined by referring to the monthly billing report.

Should you have any questions, please contact us.

30/srk
Attachment
c: Tom Freier
[Press here to go to the Budget Table](#)

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If you have questions or comments, please direct them to: dot@state.nd.us

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Operator's Signature: *Paul R. Feyerisen* Date: 10/30/03


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State Fleet Budget Guidelines

BUDGET GUIDELINES
 2003-2005 Biennium

May 13, 2002

DESCRIPTION	GROUP NO.	RATE	REPLCMNT RATE	MILE/HOUR RATE
Mini Pass. Van	1	0.36	0.06	0.42
Sedan/Wagon	2	0.25	0.04	0.29
Light Pickups/Cargo Vans	3	0.40	0.12	0.52
7 T Pickup	4	0.44	0.16	0.60
1 T Pickup/Cargo Van/All	5	0.40	0.20	0.60
High Mileage - Heavy Pickup	6	0.38	0.19	0.57
Enforcement Units	7	0.46	0.07	0.53
12-15 Pass. Vans	8	0.45	0.09	0.54
Game Enforcement/Special	9	0.32	0.05	0.37
Mini-Cargo Van/Compact Pickup/All (See Grp. 3)	10	—	—	—
Facility Service Vehicle	12	0.81	0.20	1.01
Compact Utility/All	13	0.34	0.08	0.42
Suburban/Full-size Utility/All	14	0.44	0.10	0.54
Pickup Diesel - Heavy Tow	15	0.47	0.08	0.55
Miscellaneous Truck	18	25.00	4.00	29.00
Distributor/Garbage Truck	19	24.00	16.00	40.00
Sign Truck	20	17.00	10.00	27.00
Single Axle Truck/All	21	21.00	6.00	27.00
Tandem Axle Truck/All	22	26.00	9.00	35.00
Truck Tractor	23	29.00	7.00	36.00
Rotary Snowplow	24	70.00	5.00	75.00
Motor Coach	26	45.00	8.00	53.00

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Operator's Signature

10/30/03
Date

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Operator's signature

Date _____

http://www.state.nd.us/dot/divisions/fleet/statefleet/bdgt_guides.htm

2/3/2003



Governor
John Hoeven

North Dakota Highway Patrol

State Capitol, 600 E Boulevard Ave. Dept. 504

Bismarck, ND 58505-0240

Phone: 701-328-2455

Fax: 701-328-1717

E-mail: ndhpinfo@state.nd.us

Website: <http://www.state.nd.us/ndhp>
Discovernd.com



Colonel
James M. Hughes

March 10, 2003

*Exhibit #3
received - 5/12/03
hand delivered -*

Senator Ray Holmberg, Chairman
ND Senate
Appropriations Committee
Bismarck, ND 58505

Dear Senator Holmberg:

SUBJECT: INFORMATION REQUESTED DURING BUDGET HEARING


At the end of the hearing on the Highway Patrol's budget, follow-up information was requested on training costs of new positions, fuel costs relating to mobile enforcement, and some updated figures on page seven of our testimony.

Costs for the two inspector positions needed for the federal New Entrant Program are estimated at \$7,200, which is 100 percent federally reimbursable. There would be no training costs needed for the three new MCSAP Trooper positions, the eight new MCSAP Assistants, and the new clerk position at the permits office.

Fuel costs associated with the three new MCSAP Trooper positions are estimated at \$88,000 total with the federal share being \$61,000 and state share \$27,000. Attached is an updated copy of page seven of the budget hearing testimony we handed out.

I look forward to hearing from you if there are further questions.

Sincerely,


JAMES M. HUGHES
Colonel, NDHP
Superintendent

jmh/ges
Attachment
c/Joe Morrisette, OMB
/Allen Knudson, Legislative Council

An Internationally Accredited Law Enforcement Agency Providing Professional Service

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10/30/03
Date

Recognizing the need for a strong education and enforcement effort regarding drinking and driving, the patrol has continued to perform sobriety checkpoints. Through a strong media campaign and an approval rating of over **90 percent** by our citizens, the Patrol conducted **54 sobriety** checkpoints during the past biennium and is looking to increase that number during the 2003-05 biennium.

Drug arrests have been occurring on a regular basis as well. During the past year (2002), troopers statewide investigated **395 cases involving drugs**; an average of over **one per day**. One such arrest involved a subject who was stopped for a routine traffic violation near Harvey, North Dakota. The trooper, observing a hole cut between the backrest of the backseat and the trunk of the vehicle, searched the vehicle and found over **25 pounds** of marijuana located in the trunk.

Budget Summary

The NDHP's 03-05 biennium budget request provides for:

- Eight field districts
- Law Enforcement Training Center
- Three weigh/inspection facilities
 - Reduction of 4 from current operations
- 183 FTEs
 - Reduction of 26 state funded FTEs
 - Increase of 13 federal funded FTEs with the Motor Carrier Safety Assistance Program (MCSAP)
 - Net reduction of 13 FTEs from the current budget
- FTE breakdown
 - 135 sworn officers
 - 8 are MCSAP officers
 - 8 MCSAP Inspectors
 - 2 New Entry Safety Auditors
 - 9 Motor Carrier Inspectors (weigh/inspection stations)
 - 29 civilian support staff

Anticipated Results:

- 310,000 hours of road patrol
- 7 million miles of road patrol
- 8,000 crashes investigated
- 25,000 highway assists to motorists
- Approximately 5 million in highway user fee collections for the state of North Dakota
- 138,000 officer hours of training at the Law Enforcement Training Center
- 24,000 hours of community policing activities
- Reduction in traffic fatalities through high visibility enforcement efforts and increased use of sobriety checkpoints
- Continued development of E-permits

Revised 3-10-03